

UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK; ✓
(at Manhattan)

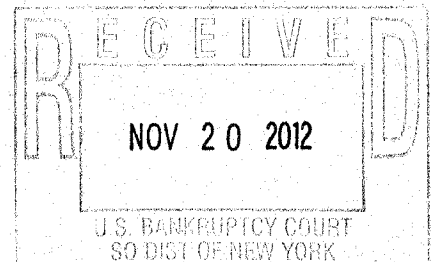
[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1), 1001(a)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573]

In Re: Residential Capital, LLC., et al., And,)	Case No. <u>12-bk-12020 (MG)</u>
In Re: GMAC, Mortgage Co., et al,	) Chapter <u>(Ch.11, Joint Admin.)</u>
Debtors	) (Related BR Case No.07-bk-57237, S.D., OHIO)
	) (Related BR Case No. 12-bk-12032, S.D., N.Y.)
	) JUDGE: GLENN, MARTIN
UNITED STATES of America, Ex Rel.,)
Yvonne D. Lewis, et al.,	) Adversary Case No.: <u>12-01731</u>
Plaintiffs/ Surplus Creditors	) (Related Case No. 12-bk-12020 (MG);
Vs.	) 05-CV-7346 (03-CV-7478); 03-CV-10836;
	) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
GMAC, Mortgage Co., et al,	) 875, 10-AP-110, COA10th Dist., OHIO
Defendants/ Bankrupt Debtor,	) (Related Case No.96-cv-494, USDC, S.D.,OH.)

OBJECTION TO BID OF BERKSHIRE HATHAWAY, DOC 2050; GROUNDED ON
GMAC'S MISCONDUCT BY MAY 31, 2012 ASSIGNMENT TO FNMA WITH
FRAUDULENT JUDGMENT LIEN OF HNB FROM INCURABLE LIVING TRUST AFTER
FED. CONSENT JUDGMENT ISSUED APR. 4, 2012, CASE NO. 12-CV-361, USDC, DC.

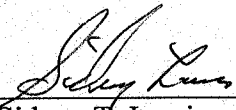
Now comes Creditors, Sidney T. Lewis and Yvonne D. Lewis, under Fed. R. BR Proc.,
R. 9013 & R. 9014, 18 USC §§ 2, 664, 1001, in the abovementioned United States Bankruptcy
Court with objection to Doc. 2050.

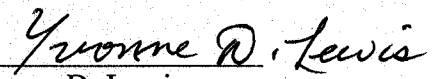
This objection is on grounds of a continued pattern of RICO conduct in the joint
administration in BR case nos. 12-bk-12020, and 12-bk-12032,USBC, SD, New York and
fraudulent administration in BR case nos. 05-bk-75111 and 07-bk-57237, USBC, SD, Ohio by
RICO Defendant (id. 96-cv-494, Doc. 95) Emens, Hurd, Kegler & Ritter lawfirm a/k/a Kegler,
Brown, Hill & Ritter Co., L.P.A. lawfirm to render legal services for the Trustee (Larry
McClatchey) within the bankruptcy estate. (id. 07-bk-57237, Doc. 25) and GMAC as debtor in
possession of mortgagor's rights in subject "FHA Mortgage".



This objection is supported by attached Exhibit A, marked thereon as Exhibit A, May 31, 2012 Assignment to FNMA. (see: Attached Exhibits A, ~~B, & C~~).

Respectfully Submitted,

Dated: Nov. 16, 2012. 
Sidney T. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

Dated: Nov. 16, 2012. 
Yvonne D. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

Memorandum In Support

“Under Ohio law, a *mortgagor in possession* of real property is the owner of the legal and equitable interests in the property. In re Rosario, 402 B.R. 223, 229 (Bankr. N.D. Ohio 2009) (citations omitted).”

(See: In re Jaber, 406 B.R. 756, 761 (Bankr. N.D. Ohio 2009))

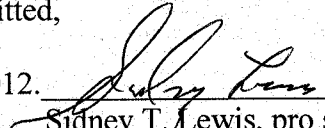
It follows that on **May 31, 2012 (EXHIBIT A)** Creditor Yvonne D. Lewis was the *mortgagor in possession* under a HUD/FHA Mortgage on the real property at 1875 Alvason Avenue. As the owner of said legal and equitable interests in the property Lewis would have been entitled to a legal “right of redemption” before consummation of the Sheriffs Sale on **JUNE 4, 2012** long after Defendant GMAC’s fraudulent assignment of Bid to FNMA without a “face to face” mandated by HUD guidelines, then Defendant GMAC’s fraudulent auction to successful bidder, Berkshire Hathaway Inc absent consent of purchaser FNMA, nor waiver of the “*right of redemption*” by Creditor Yvonne D. Lewis.

“...debtor may avoid the fixing of a judicial lien that impairs an exemption to which the debtor would have been entitled but for the lien. 11 U.S.C. § 522(f)(1)(A).”

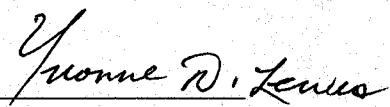
(See: In re Jaber, 406 B.R. 756, 762 (Bankr. N.D. Ohio 2009))

Respectfully submitted,

Dated: Nov. 16, 2012.


Sidney T. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

Dated: Nov. 16, 2012.


Yvonne D. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

VERIFICATION

State of Ohio

)

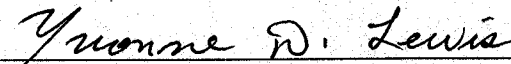
) SS:

Franklin County

)

I, Yvonne D. Lewis, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge as based on my understandings and belief.
FURTHER SAYETH THE AFFIANT NAUGHT.

Executed on Nov. 16, 2012 pursuant to 28 U.S.C. §§ 452, 1746, 1715; Ohio Const., Art. I, §16; U.S. Const., Amend., § 14th.


YVONNE D. LEWIS, Affiant, In Personam

VERIFICATION

State of Ohio

)

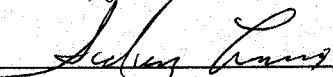
) SS:

Franklin County

)

I, Sidney T. Lewis, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge as based on my understandings and belief.
FURTHER SAYETH THE AFFIANT NAUGHT.

Executed on Nov. 16, 2012 pursuant to 28 U.S.C. §§ 452, 1746, 1715; Ohio Const., Art. I, §16; U.S. Const., Amend., § 14th.


SIDNEY T. LEWIS, Affiant, In Personam

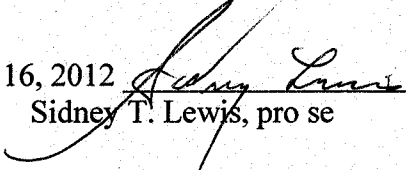
UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK;
(at Manhattan)

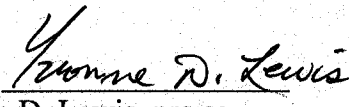
[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1), 1001(a)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573]]

In Re: Residential Capital, LLC., et al., And,)	Case No. <u>12-bk-12020 (MG)</u>
In Re: GMAC, Mortgage Co., et al,)	Chapter <u> </u> (Ch.11, Joint Admin.)
Debtors)	(Related BR Case No.07-bk-57237, S.D., OHIO)
)	(Related BR Case No. 12-bk-12032, S.D., N.Y.)
)	JUDGE: GLENN, MARTIN
UNITED STATES of America, Ex Rel.,)	
Yvonne D. Lewis, et al.,)	Adversary Case No.: <u>12-01731</u>
Plaintiffs/ Surplus Creditors)	(Related Case No. 12-bk-12020 (MG);
Vs.)	05-CV-7346 (03-CV-7478); 03-CV-10836;
)	05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
GMAC, Mortgage Co., et al,)	875, 10-AP-110, COA10th Dist., OHIO
Defendants/ Bankrupt Debtor,)	(Related Case No.96-cv-494, USDC, S.D.,OH.)

CERTIFICATE OF SERVICE

A copy of the foregoing: OBJECTION TO BID OF BERKSHIRE HATHAWAY, DOC 2050; GROUNDED ON GMAC'S MISCONDUCT BY MAY 31, 2012 ASSIGNMENT TO FNMA WITH FRAUDULENT JUDGMENT LIEN OF HNB FROM INCURABLE LIVING TRUST AFTER FED. CONSENT JUDGMENT ISSUED APR. 4, 2012, CASE NO. 12-CV-361, USDC, DC., was served on Debtors counsels of record, and other parties to the instant action, by hand delivery, electronic mail service, or by certified U.S. Mail Service, Postage Prepaid on Nov. 16, 2012.

Dated: Nov. 16, 2012 
Sidney T. Lewis, pro se

Dated: Nov. 16, 2012 
Yvonne D. Lewis, pro se

Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R10

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

GMAC Mortgage Corporation

Plaintiff,

vs.

Yvonne D. Lewis aka Yvonne D. Webb-Lewis,
et al.

Defendants.

Case No. 05CVE-04-4555


Judge Julie M. Lynch

NOTICE OF ASSIGNMENT OF BID

Plaintiff GMAC Mortgage Corporation, acting through counsel, hereby gives notice that
it has assigned its bid on the sale of the property that is the subject of this foreclosure action to
the following person:

Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043

Respectfully submitted,


Matthew J. Richardson (0077157)
Holly N. Wolf (0068847)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-220-5613
Email: mjr2@mdk-llc.com
Attorney for Plaintiff

THE STATE OF OHIO
Franklin County, ss } I, MARVELLEN O'SHAUGHNESSY, Clerk
OF THE COURT OF COMMON
PLEAS WITHIN AND FOR
SAID COUNTY,

HEREBY CERTIFY THAT THE ABOVE AND FORE-
GOING IS TRULY TAKEN AND COPIED FROM THE
ORIGINAL note
NOW ON FILE IN MY OFFICE
WITNESS MY HAND AND SEAL OF SAID COUNTY
THIS 31 DAY OF MAY A.D. 2012
MARVELLEN O'SHAUGHNESSY, Clerk
By [Signature] Deputy


Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R11

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Assignment of
Bid was sent to the following by ordinary U.S. Mail, postage prepaid, on the date indicated
below:

Yvonne D. Lewis aka Yvonne D. Webb-Lewis
1875 Alvason Avenue
Columbus, OH 43219

Sidney T. Lewis
1875 Alvason Avenue
Columbus, OH 43219



Matthew J. Richardson
Holly N. Wolf
May 30, 2012

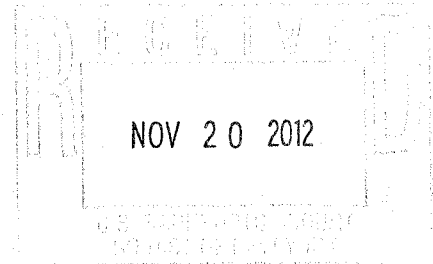
Dated

EX. A

MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104
Telephone: (212) 468-8000
Facsimile: (212) 468-7900

Gary S. Lee
Todd M. Goren
Alexandra Steinberg Barrage
Jennifer L. Marines

*Counsel for the Debtors and
Debtors in Possession*



**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u>,	)	Chapter 11
)	
Debtors.	)	Jointly Administered
)	

**AMENDED NOTICE OF SUCCESSFUL BIDDERS AT THE
AUCTIONS AND SALES OF (A) THE PLATFORM ASSETS TO
OCWEN LOAN SERVICING, LLC AND
(B) THE WHOLE LOAN ASSETS TO BERKSHIRE HATHAWAY INC. AND
NOTICE OF FILING
(A) OCWEN APA AND (B) AMENDED AND RESTATED BH LEGACY APA**

PLEASE TAKE NOTICE that on May 14, 2012, debtors and debtors in possession in the above-captioned cases (collectively, the "Debtors")¹ filed a motion (the "Sale Motion")² to,

¹ The names of the Debtors in these cases and their respective tax identification numbers are identified on Exhibit 1 to the Affidavit of James Whitlinger, Chief Financial Officer of Residential Capital, LLC, In Support of the Debtors "First Day" Pleadings [Docket No. 6]. Creditors and parties-in-interest with questions or concerns regarding the Debtors' Chapter 11 cases or the relief set forth in this Notice may refer to <http://www.kccllc.net/rescap> for additional information.

² Debtors' Motion Pursuant to 11 U.S.C. §§ 105, 363(b), (f), and (m), 365 and 1123, and Fed R. Bankr. P. 2002, 6004, 6006, and 9014 for Orders: (I)(A) Authorizing and Approving Sale Procedures, Including Break-Up Fee and Expenses Reimbursement; (II) Scheduling Bid Deadline and Sale Hearing; (III) Approving Form and Manner of Notice Thereof; and (IV) Granting Related Relief and (B)(I) Authorizing the Sale of Certain Assets Free and Clear of Liens, Claims, Encumbrances, and Other Interests; (II) Authorizing and Approving Asset Purchase Agreements Thereto; (III) Approving the Assumption and Assignment of Certain Executory Contracts and

THE PLATFORM AUCTION

PLEASE TAKE FURTHER NOTICE that, pursuant to the Sale Procedures Order, on October 23, 2012, the Debtors conducted the Auction for the Platform Assets (the "Platform Auction").

PLEASE TAKE FURTHER NOTICE that at the conclusion of the Platform Auction, the Debtors and their legal and financial advisors, in consultation with the Official Committee of Unsecured Creditors, through their legal and financial advisors, determined that Ocwen Loan Servicing, LLC ("Ocwen") offered the highest and best bid for the purchase of the Platform Assets and, accordingly, named Ocwen as the successful bidder (the "Successful Platform Bidder"), subject to execution of the necessary sale documents.

PLEASE TAKE FURTHER NOTICE that Nationstar Mortgage LLC has been selected as the Next-Highest Bidder for the Platform Assets, subject to the terms and conditions of the Sale Procedures and the Nationstar APA.

PLEASE TAKE FURTHER NOTICE that on November 2, 2012, the Debtors' Board of Directors approved the "Ocwen APA", which is attached hereto as Exhibit 1. A redline comparison of the Ocwen APA and the Amended and Restated Nationstar APA is attached hereto as Exhibit 2.

PLEASE TAKE FURTHER NOTICE that at the Sale Hearing, the Debtors will seek Court approval of the Ocwen APA and the Successful Platform Bidder.

THE WHOLE LOAN AUCTION

PLEASE TAKE FURTHER NOTICE that, pursuant to the Sale Procedures Order, on October 25, 2012, the Debtors conducted the Auction for the Whole Loan Assets (the "Whole Loan Auction").

PLEASE TAKE FURTHER NOTICE that at the conclusion of the Whole Loan Auction, the Debtors, and their legal and financial advisors, in consultation with the Official Committee of Unsecured Creditors, through their legal and financial advisors, determined that Berkshire Hathaway Inc. ("Berkshire Hathaway") offered the highest and best bid for the purchase of the Whole Loan Assets and, accordingly, named Berkshire Hathaway as the successful bidder (the "Successful Whole Loan Bidder"), subject to execution of the necessary sale documents.

The exhibits to this notice can be viewed and obtained on the Court's internet website at www.nysb.uscourts.gov and on the independent website maintained by the Debtors, <http://www.kccllc.net/rescap>. A login and password to the Court's Public Access to Electronic Court Records ("PACER") are required to access www.nysb.uscourts.gov and can be obtained through the PACER Service Center at www.pacer.psc.uscourts.gov.

UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK;
(at Manhattan)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573]
[Rule 36(a)]

In Re: Residential Capital, LLC., et al., And,) Case No. 12-bk-12020 (MG)
In Re: GMAC, Mortgage Co., et al,) Chapter (Ch.11, Joint Admin.)
Debtors) (Related BR Case No.07-bk-57237, S.D., OHIO)
) (Related BR Case No. 12-bk-12032, S.D., N.Y.)
) JUDGE: GLENN, MARTIN
UNITED STATES of America, Ex Rel.,)
Yvonne D. Lewis, et al.,) Adversary Case No.: 12-01731
Plaintiffs/ Surplus Creditors) (Related Case No. 12-bk-12020 (MG);
Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
GMAC, Mortgage Co., et al,) 875, 10-AP-110, COA10th Dist., OHIO
Defendants/ Bankrupt Debtor,) (Related Case No.96-cv-494, USDC, S.D.,OH.)

JUDICIAL NOTICE OF CONTUATION OF RICO ASSOCIATIONS; GROUNDED ON
GMAC'S MISCONDUCT BY MAY 31, 2012 ASSIGMENT TO FNMA WITH JUDGMENT
LIEN OF HNB FROM INCURABLE LIVING TRUST AFTER FTC AND DISTRICT
COURT'S CONSENT JUDGMENTS ISSUED ON APR. 14, 1997 AND APR. 4, 2012.

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF OHIO;
(at Columbus)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

In Re: SIDNEY T. LEWIS, pro se,) Case No. 2:07-bk-57237
) (Ch.7)
Debtor) (Related Bankr Case No. 2:05-bk-75111)
)
Social Security No.: xxx-xx-5959) JUDGE: HOFFMAN, JOHN, Jr.

In Re: Yvonne D. Lewis,) Case No. 2:05-bk-75111
) (Ch.7)
Debtor) (Related Case No. 2:07-bk-57237)
)
Social Security No.: xxx-xx-2390) JUDGE: HOFFMAN, JOHN, Jr.

NOV 20 2012

IN THE UNITED STATES DISTRICT COURT, S. D. OF OHIO
EASTERN DIVISION (at Columbus)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

UNITED STATES of America, Ex Rel.,)
Sidney T. Lewis, et al.,) Action No. 2:08-cv-1042
Plaintiffs) (Related Dist. Ct. Cases 2:08-cv-16; 2:96-cv-494;
Vs.) 2:09-cv-179, 2:08-cv-75; 09-cv-936; 09-cv-944;
) 05-cv-1082; 08-cv-1040 and 08-cv-1042);
) JUDGE: HOLSCHUH
Larry McClatchey, et al.,) Magistrate Judge: KING
Of the Kegler, Brown, Hill & Ritter lawfirm
Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
(at Manhattan)

UNITED STATES OF AMERICA, ex rel,)
EDWARD O'DONNELL, et al.,) Case No.: 12-cv-1422
appearing QUI TAM,)
Plaintiff /Relator,) (Related Case No.96-cv-494, USDC, S.D.,OH;
Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
BANK OF AMERICA CORP., et al,) 875, 10-AP-110, COA10th Dist., OHIO
Defendants.) (Related Case No. 08-cv-75, USDC, S.D.,OH.)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1), 7702, 1001][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

FRIENDS OF THE EARTH, et al.,)
Plaintiff,) Case: 1:12-cv-00363
Vs.) (Related Dist. Ct. Case 1:12-cv-00361);
)
) Assigned To: Jackson, Amy Berman, Judge
UNITED STATES E.P.A. and)
LISA JACKSON, Administrator,)
Defendants.)

_____))
IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

SECURITIES AND EXCHANGE COMMISSION)

Plaintiff,)

vs.)

Case No. 4:10-cv-87

AMERICAN EQUITY INVESTMENT LIFE)

HOLDING COMPANY;)

DAVID J. NOBLE; and)

WENDY C. WAUGAMAN,)

Defendants.)

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY;
LOUISVILLE DIVISION**

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

BEVERLY S. MALONE, Living Trust Beneficiary,)

Plaintiff,)

Case No. 3:01-CV-259(H)

) (Related Dist. Ct. Case 3: 05-CV-122(H));

vs.)

JUDGE: JOHN HEYBURN

AMERICAN EQUITY INVESTMENT LIFE)

HOLDING COMPANY ("AEL") et al., and)

ADDISON INSURANCE MARKETING (AIM))

Defendants.)

UNITED STATES SUPREME COURT

Charles STRUBE, et al., Living Trust Matters,) 11th Cir. No. 06-35, Certiorari denied.

Beverly MALONE, Living Trust Matters,) No. 05-13014 / No. 05-11461

Appellant,) Removed USDC, M.D., FL, case # 01-cv-1236

) [26 USC §§ 401(a), 4975(e)]

vs.)

) Reported below: 158 Fed. Appx. 198.

AMERICAN EQUITY ("AEL"), et al.,)
Appellee.)

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT; AT FL.

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573]]

Charles STRUBE, et al., Living Trust Matters,) **No. 05-11461 Non-Argument Calendar;**
Beverly MALONE, Living Trust Beneficiary,) **No. 05-13014 Non-Argument Calendar**
Plaintiffs/Appellants,) Removed from case nos. 6:01-cv-1236 and
vs.) 3:01-CV-259(H); [26 USC §§ 401(a), 4975(e)]
AMERICAN EQUITY ("AEL"), et al.,) 3: 05-CV-122
Defendants/Appellees.) Before ANDERSON, BLACK and PRYOR,
Circuit Judges.

**UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

WHITE, et al : Case No. 05-cv-1070 DOC (MLGx)
vs. : Judge: David Carter
EXPERIAN INFORMATION :
SOLUTIONS, INC., et al. :
(Related C.A. Dist. Ct. Case Nos: : \$45 MILLION DOLLAR SETTLEMENT
Case #05-cv-1073, DOC (MLGx) : OF NATIONAL CLASS ACTION
Case #05-cv-7821, DOC (MLGx) :
Case #06-cv-0392, DOC (MLGx) :
Case #06-cv-5060, DOC (MLGx) :

JUDICIAL NOTICE OF CONTUATION OF RICO ASSOCIATIONS; GROUNDED ON
GMAC'S MISCONDUCT BY MAY 31, 2012 ASSIGMENT TO FNMA WITH JUDGMENT
LIEN OF HNB FROM INCURABLE LIVING TRUST AFTER FTC AND DISTRICT
COURT'S CONSENT JUDGMENTS ISSUED ON APR. 14, 1997 AND APR. 4, 2012.

**IN THE MUNICIPAL COURT OF FRANKLIN COUNTY; OHIO
ENVIRONMENTAL DIVISION**

COLUMBUS, CITY OF

OFFICE OF CITY ATTORNEY	:	Civil Action No.: <u>2007 EVH- 60047</u>
(Plaintiff/ Counter-Defendants)	:	
Vs.	:	
	:	MUNI JUDGE: <u>HARLAND HALE</u>
HARRIETT MANN, et al.	:	CPC JUDGE: <u>ANNE TAYLOR</u>
(Defendants/ Counter-Plaintiffs)	:	

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

COLUMBUS, CITY OF	:	Civil Action No.: <u>2:08-CV-172</u>
(Plaintiff/ Counter-Defendants)	:	(Removed Case No.: 2007 EVH- 60047)
	:	(Related Nos. <u>2:07-CV-287 & 05-CV-844</u>)
VS.	:	
	:	JUDGE: <u>GRAHAM</u>
HARRIETT MANN, et al.	:	Magistrate Judge: <u>Kemp</u>
(Defendants/ Counter-Plaintiffs)	:	

Now comes Creditors, Sidney T. Lewis and Yvonne D. Lewis, under Fed. Evid. R. 201(c), (d) &(e), 18 USC §§ 2, 664, 1001, and 28 USC § 1406(a) in all of the abovementioned United States District and Bankruptcy Courts, in all of the abovementioned State Civil and Criminal Courts, for cases related to Mortgage and Judgment Liens in favor of Huntington National Bank (*as Mortgagee/Assignor and Judgment Lienholder*) and GMAC Mortgage Company LLC (*as Mortgagee/Assignee and as Mortgagee/Service/Assignor*) and Ally Financial Inc., "AFI" (*as Assignee/Subservicer*) and herein give Judicial Notice of the related State and Federal "RICO" actions under **18 USC § 1962** in Columbus, Ohio, companion Federal case no. 2:96-cv-494, No. 2:08-cv-75, No. 08-CV-172; No. 2:08-cv-1040; No. 2:08-cv-1042; No. 2:08-cv-736; No. 2:09-cv-936; No. 2:09-cv-944 and No. 2:09-cv-179, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION, (See: **EXHIBIT A**, Doc. 95, in case no. 2:96-cv-494 filed **JUNE 9, 1998**); and companion State case nos. 04-AP-469; 04-AP-

1135; No. 96APA03-326¹, No. 96APA03-327, No. 96APA03-328; 12-ap-506, COURT OF APPEALS OF OHIO, TENTH APPELLATE DISTRICT, FRANKLIN COUNTY in relation to SEC Form N-4/A filings by American Equity Life Annuity Account (AEL's) [FILE NO. 333-46593 and FILE NO. 811-08663] REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933 and REGISTRATION STATEMENT UNDER THE INVESTMENT COMPANY ACT OF 1940 filed **JUNE 9, 1998** for AEL's FLEXIBLE PREMIUM DEFERRED VARIABLE ANNUITY CONTRACTS pursuant to 26 USC §§ 101(f)(3)(A), 267(b)(1), 7702.

(SEE AND COMPARE: **EXHIBIT B**, SEC Form N-4/A, at Schedule A, at page 000, filings by American Equity filed **JUNE 9, 1998**, "**SEPARATE ACCOUNTS**"; COMPARE TO: **EXHIBIT C**, SEC Form 10k/A, at part II, Item 9A, Controls and Procedures, at Page 44 of 48, as filings by American Equity for the fiscal year ended December 31, 2004 filed **MARCH 28, 2005**, "The Company's management assessed the effectiveness of the Company's internal control over financial reporting as of December 31, 2004 ***. Management determined a **LACK OF FORMAL DOCUMENTATION EXISTS SURROUNDING THE COMPANY'S REVIEW OF ITS DEFERRED POLICY ACQUISITION COSTS AND DEFERRED SALES INDUCEMENTS**, its unlocking analysis and the related assumptions and estimates used in connection with these items. In addition management concluded that the review of inputs into the models for **ESTIMATING DEFERRED POLICY ACQUISITION COSTS AND DEFERRED SALES INDUCEMENTS WAS INADEQUATE**. As a result, management has concluded that a material weakness exists and thus is not be able to conclude that its internal control over financial reporting was effective as of the end of the period covered by the Company's Annual Report on Form 10-K.****")

This Judicial Notice is supported by 1998 and 2012 final federal consent judgments, or otherwise, the entire judicial records in the aforementioned OHIO Federal RICO case no. 2:96-

¹ See: State of Ohio, Plaintiff-Appellee, v. Dwight I. **Hurd**, Defendant-Appellant. State of Ohio, Plaintiff-Appellee, v. Robert D. Hodge, Defendant-Appellant. State of Ohio, Plaintiff-Appellee, (Cross-Appellant), v. Beth A. Eyerman, Defendant-Appellant, 1999 Ohio App. LEXIS 2047, pg 1, (Ohio Ct. App., Franklin County May 4, 1999, reversing criminal convictions), ("The indictment alleged a scheme to defraud investors through the intrastate sale of millions of shares of low-priced, highly speculative stocks, generally selling at less than \$ 5 a share ("penny stocks").").

cv-494 at Docs 70 and 95; and District of Columbia Federal RICO case no. 1:12-cv-00361 at Docs. 11 and 13 as incorporated herein by reference, and "in the interest of justice", including, but not limited to the State Criminal "RICO" actions No. 96APA03-326 (See: State of Ohio v. Dwight I. Hurd, 1999 Ohio App. LEXIS 2047), as related to the unlawful conversion/transfer of AEL's "**DEFERRED POLICIES**" as registered securities UNDER THE SECURITIES ACT OF 1933 and THE INVESTMENT COMPANY ACT OF 1940, registered with the United States S.E.C. (See **EXHIBIT B&C**), subject to the joint administration in BR case nos. 12-bk-12020, and 12-bk-12032,USBC, SD, New York and fraudulent administration in BR case nos. 05-bk-75111 and 07-bk-57237, USBC, SD, Ohio by RICO Defendant (id. 96-cv-494, Doc. 95) Emens, Hurd, Kegler & Ritter lawfirm a/k/a Kegler, Brown, Hill & Ritter Co., L.P.A. lawfirm to render legal services for the Trustee (Larry McClatchey) within the bankruptcy estate. (id. 07-bk-57237, Doc. 25)

Further, This Notice is supported by attached Exhibits and Exhibits of record in the instant cases and by the Exhibits and Verifications by Creditors/Relators, Sidney T. Lewis and Yvonne D. Webb-Lewis attached to their objection to the Amended Notice of Successful Bidders at the Auctions ... [S.I.C.]... assets to Berkshire Hathaway Inc., Doc. 2050, filed 11/03/12 in the U.S. Bankruptcy Court For the Southern District of New York, at Manhattan, in Case No. 12-bk-12020.

This Notice is supported by attached Exhibits and Exhibits of record in the instant cases.

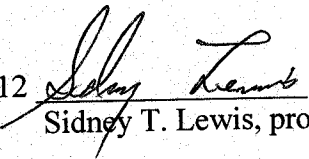
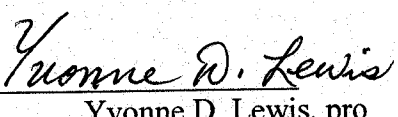
(see: Attached Exhibits A,B,&C).

28 USC 1406(a) reads in pertinent parts:

"(a) The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be *in the interest of justice*, transfer such case to any district or division in which it could have been brought."

(See: 28 USC 1406(a))

Respectfully Submitted,

Dated: June 13 ^{Nov. 16,} 2012		Dated: June 13 ^{Nov. 16,} 2012	
	Sidney T. Lewis, pro se		Yvonne D. Lewis, pro se
	1875 Alvason Avenue Columbus, Ohio 43219 (614) 940-3306		1875 Alvason Avenue Columbus, Ohio 43219 (614) 940-3306

Memorandum In Support

"Under Ohio law, a *mortgagor in possession* of real property is the owner of the legal and equitable interests in the property. In re Rosario, 402 B.R. 223, 229 (Bankr. N.D. Ohio 2009) (citations omitted)."

(See: In re Jaber, 406 B.R. 756, 761 (Bankr. N.D. Ohio 2009))

It follows that on **May 31, 2012 (EXHIBIT D)** Creditor Yvonne D. Lewis was the *mortgagor in possession* under a HUD/FHA Mortgage on the real property at 1875 Alvason Avenue. As the owner of said legal and equitable interests in the property Lewis would have been entitled to a legal "right of redemption" before consummation of the Sheriffs Sale on **JUNE 4, 2012** long after

Defendant GMAC's fraudulent assignment of Bid to FNMA without a "face to face" mandated by HUD guidelines, then Defendant GMAC's fraudulent auction to successful bidder, Berkshire Hathaway Inc absent consent of purchaser FNMA, nor waiver of the "*right of redemption*" by Creditor Yvonne D. Lewis.


"...debtor may avoid the fixing of a judicial lien that impairs an exemption to which the debtor would have been entitled but for the lien. 11 U.S.C. § 522(f)(1)(A)."

(See: *In re Jaber*, 406 B.R. 756, 762 (Bankr. N.D. Ohio 2009))

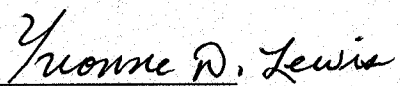
It follows that on or before June 6, 2008 (**EXHIBIT E**) Discharged Debtor Yvonne D. Lewis would have been entitled to a Homestead exemption on the real property at 1875 Alvason Avenue under Ohio Revised Code § 2329.66. See 11 U.S.C. § 522(b)(3)(A), except that Huntington National Bank's false judicial lien related to the fraudulent Vacy O. Webb Living Trusts marketed by American Equity under the RICO Class (id. Doc 70) that impaired a \$5,000.00 exemption to which the debtor would have been entitled but for the HNB Certificate of Judgment Lien attached to the Proof of Claim filed in the above-entitled Bankruptcy action. (See attached: **EXHIBIT E**, id. 07-bk-57237, Claim 2-1)

Respectfully submitted,

Dated: Nov. 16, 2012.


Sidney T. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

Dated: Nov. 16, 2012.

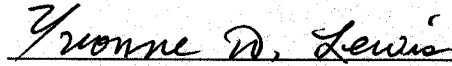

Yvonne D. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

VERIFICATION

State of Ohio)
) SS:
Franklin County)

I, Yvonne D. Lewis, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge as based on my understandings and belief.
FURTHER SAYETH THE AFFIANT NAUGHT.

Executed on Nov. 16, 2012 pursuant to 28 U.S.C. §§ 452, 1746, 1715; Ohio Const., Art. I, §16;
U.S. Const., Amend., § 14th.



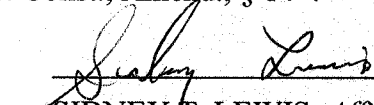
YVONNE D. LEWIS, Affiant, In Personam

VERIFICATION

State of Ohio)
) SS:
Franklin County)

I, Sidney T. Lewis, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge as based on my understandings and belief.
FURTHER SAYETH THE AFFIANT NAUGHT.

Executed on Nov. 16, 2012 pursuant to 28 U.S.C. §§ 452, 1746, 1715; Ohio Const., Art. I, §16;
U.S. Const., Amend., § 14th.



SIDNEY T. LEWIS, Affiant, In Personam

CLOSED

**U.S. District Court
Southern District of Ohio (Columbus)
CIVIL DOCKET FOR CASE #: 2:96-cv-00494-JPK-MRA**

Bryk, et al v. Hurd, et al
Assigned to: Joseph P. Kinneary
Referred to: Magistrate Judge Mark R. Abel
Demand: \$0
Case in other court: Eastern Division, 1:95-cv-01096
Cause: 18:1962 Racketeering (RICO) Act

Date Filed: 05/17/1996
Date Terminated: 09/28/2000
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Plaintiff

John P Bryk

represented by **William Henry Blessing**
119 East Court Street, Ste 500
Cincinnati, OH 45202
513-621-9191
Fax: 513-621-7086
Email: billblessing@cinci.rr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Gregory J Burkhart

represented by **William Henry Blessing**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William A Burkhart

represented by **William Henry Blessing**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Dwight I Hurd
TERMINATED: 05/11/1999

represented by **Stephen Joseph Butler**
Thompson Hine LLP - 1
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029
513-352-6700
Email: steve.butler@thompsonhine.com

TERMINATED: 12/24/1996
LEAD ATTORNEY

EXHIBIT A-001

ATTORNEY TO BE NOTICED

William Chester Wilkinson

Attorney at Law

341 S. Third Street

Suite 101

Columbus, OH 43215

614-224-6527

Fax: 614-224-6529

Email: wilkinwc@hotmail.com

TERMINATED: 05/11/1999

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

David M Carmichael

Defendant

Robert D Hodge

represented by **Anil V Anthony**

655 Metro Place South

Suite 230

Dublin, OH 43017

614-760-5500

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

William Lawrence Summers

SUSPENDED - SEE 1:12-MC-033

Summers Vargas & Resnick - 2

23240 Chagrin Boulevard

Suite 525

Cleveland, OH 44122

216-591-0727

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Beth A Eyerman

represented by **Mary Jane McFadden**

McFadden, Winner, Savage &

Segerman, LLP

175 South Third Street

Suite 350

Columbus, OH 43215-5188

614-221-8868

Fax: (614) 221-3985

Email: m_mcfadden@earthlink.net

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Ex. A-002

Anthony Kohl

Defendant

**Emens Kegler Brown Hill & Ritter
 Company LPA**
 TERMINATED: 06/09/1998

represented by **John Wolcott Zeiger**
 Zeiger Tiges Little & Lindsmith LLP
 3500 Huntington Center
 41 S High Street
 Columbus, OH 43215
 614-365-9900
 Fax: 614-365-7900
 Email: zeiger@litohio.com
 TERMINATED: 06/09/1998
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

Carlile Patchen & Murphy
 Attorneys at Law
 TERMINATED: 05/11/1999

represented by **Stephen Joseph Butler**
 (See above for address)
 TERMINATED: 12/24/1996
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

William Chester Wilkinson
 (See above for address)
 TERMINATED: 05/11/1999
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/12/1995	1	COMPLAINT (Summonses issued) (no. pgs: 17) (dm) (Entered: 12/13/1995)
12/14/1995	2	ORDER OF PROCEDURE by Judge Herman J. Weber ; Parties have to 2/20/96 to respond. (cc: all counsel) (no pgs: 3/consent form, ltr & mag bk) (do) (Entered: 12/14/1995)
02/12/1996	3	MOTION by defendant Emens Kegler Brown to vacate Order of Procedure of 12/14/95 (no pgs: 5+Proposed order) (dm) (Entered: 02/13/1996)
02/12/1996	4	MOTION by defendant Emens Kegler Brown to dismiss (no pgs: 13) (dm) (Entered: 02/13/1996)
02/12/1996	5	STIPULATION by Pltfs and Defts Hurd and Carlile, Patchen & Murphy may have to 3/4/96 to respond re complaint [1-1] (no pgs: 2) (dm) (Entered: 02/13/1996)
02/15/1996		NOTATION ORDER by Judge Herman J. Weber granting stipulation [5-1]; Defts to respond to complaint 3/4/96 (cc: all counsel) (dm) (Entered: 02/15/1996)
02/28/1996	6	RESPONSE by plaintiffs to [2-1] order of procedure (no pgs: 4) (vp)

EX. A-003

		(Entered: 02/29/1996)
03/04/1996	7	NOTICE of adopting Motion to Dismiss filed on behalf of Emens Kegler Brown Hill & Ritter by defendant Robert D Hodge (no pgs: 2) (dm) (Entered: 03/04/1996)
03/04/1996	8	MOTION by defendant Dwight I Hurd, defendant Carlile Patchen & to dismiss complaint (no pgs: 3) (dm) (Entered: 03/05/1996)
03/04/1996	9	MOTION by defendant Dwight I Hurd, defendant Carlile Patchen & to vacate Order of procedure (no pgs: 3) (dm) (Entered: 03/05/1996)
03/04/1996	10	STIPULATION by Pltf and Deft Robert D Hodge that deft may have to 3/4/96 to respond re complaint [1-1] (no pgs: 2) (dm) (Entered: 03/05/1996)
03/05/1996		NOTATION ORDER by Judge Herman J. Weber granting stipulation [10-1] (cc: all counsel) (dm) (Entered: 03/05/1996)
03/13/1996	11	MOTION by defendant Beth A Eyerman to dismiss (no pgs: 4) (dm) (Entered: 03/13/1996)
03/19/1996	12	Stipulation and ORDER by Judge Herman J. Weber and parties; Pltfs may have to 3/21/96 to respond to Docs 4,7,8 (cc: all counsel) (no pgs: 2) (dm) (Entered: 03/19/1996)
03/21/1996	13	RICO Case Statement by plaintiff (no pgs: 17+) (vp) (Entered: 03/22/1996)
03/21/1996	14	MEMORANDUM by plaintiffs in opposition to [8-1] [3-1] defts motions to dismiss (no pgs: 8) (vp) (Entered: 03/22/1996)
04/01/1996	15	REPLY by defendant Dwight I Hurd, defendant Carlile Patchen & to response to motion to dismiss complaint [8-1] (no pgs: 5) (dm) (Entered: 04/02/1996)
04/03/1996	16	REPLY by defendant Emens Kegler Brown to response to motion to dismiss [4-1] (no pgs: 9) (dm) (Entered: 04/03/1996)
05/01/1996	17	ORDER by Judge Herman J. Weber granting motion to vacate Order of procedure [9-1], granting motion to vacate Order of Procedure of 12/14/95 [3-1] vacating [2-1] procedure order (cc: all counsel) (no pgs: 1) (dm) (Entered: 05/01/1996)
05/09/1996	18	MOTION by defendant Dwight I Hurd, defendant Carlile Patchen & to dismiss (no pgs: 2) (dm) (Entered: 05/09/1996)
05/13/1996	19	ORDER by Judge Herman J. Weber denying motion to dismiss [11-1], denying motion to dismiss complaint [8-1], denying motion to dismiss [4-1] transferring case to the SDO Eastern division Division (cc: all counsel) (no pgs: 4) (dm) (Entered: 05/13/1996)
05/14/1996	20	MOTION by plaintiff for class certification (no pgs: 13) (vp) (Entered: 05/14/1996)
05/17/1996	21	Original file, certified copy of transfer order docket sheet received from SDO-Cincinnati [C1-95-1096]; to Chief Judge John D. Holschuh (referred to Mag. Judge Mark R. Abel) (pl) (Entered: 05/20/1996)

EX. A-004

05/30/1996	22	NOTICE by defendant Emens Kegler Brown of pending motions to dismiss (no pgs: 3) (pl) (Entered: 06/03/1996)
06/07/1996	23	Stipulation and ORDER by Mag. Judge Mark R. Abel: dfts have until 6/28/96 to respond to pltf's; motion for class certification and pltf's have until 7/17/96 to file reply brief (cc: all counsel) (no pgs: 2) (gk) (Entered: 06/10/1996)
06/25/1996	24	NOTICE setting this action for Preliminary PTC 10:00 8/15/96 no pgs: 2 (cc: all counsel) (gk) (Entered: 06/25/1996)
06/28/1996	25	ORDER by Mag. Judge Mark R. Abel telephone disc conf held 6/27/96; defts to serve disc upon pltf by 7/3/96; resp due 8/5/96; deft resp to motion to certify due 9/30/96; Prelim pretrial conf reset 11:30 8/8/96 (cc: all counsel) (no pgs: 2) (pl) (Entered: 06/29/1996)
06/28/1996	26	NOTICE by defendant Emens Kegler Brown of taking deposition of John P. Bryk on 8/26/96 at 9:30 a.m. (no pgs: 2) (pl) (Entered: 07/01/1996)
06/28/1996	27	NOTICE by defendant Emens Kegler Brown of taking deposition of Gregory J. Burkhart on 8/28/96 at 9:30 (no pgs: 2) (pl) (Entered: 07/01/1996)
06/28/1996	28	NOTICE by defendant Emens Kegler Brown of taking deposition of William A. Burkhart on 8/29/96 at 9:30 (no pgs: 2) (pl) (Entered: 07/01/1996)
07/09/1996	29	ORDER by Chief Judge John D. Holschuh recusing himself and directing the Clerk to randomly draw the Judge to whom this case should be transferred (cc: all counsel) (no pgs: 1) (pl) (Entered: 07/10/1996)
08/05/1996		Mail Returned [24-1] addressed to Anthony Kohl (pl) (Entered: 08/06/1996)
08/09/1996	30	ORDER by Mag. Judge Mark R. Abel ; Prelim pretrial conf held 8/8/96 ; oppos to motion for class certification due 9/30/96; reply due 10/23/96; Status conference set 11:00 10/30/96 ; Pltf to quarterly report fees to deft; Status report ddl set 9/16/96 ; Discovery ddl set 6/30/97 ; Mtn filing ddl set 8/15/97 (cc: all counsel) (no pgs: 2) (pl) (Entered: 08/12/1996)
09/17/1996	31	AGREED SCHEDULING ORDER by Mag. Judge Mark R. Abel, -Status conference w/MagJ Abel set for 10:00 1/14/97 -Discovery ddl reset to 9/1/97 - Mtn filing ddl reset to 10/15/97 -brief stay of proceedings to permit completion of discovery in related case -if case unresolved depo of John P Bryk 10/23/96 @ 8:00 am -depo of William Burkhart & Gregory Burkhart 10/28/96 @ 9:00 am -pltf's expert Rule 26 disclosures by 4/1/97, defts by 5/15/97 (cc: all counsel) (no pgs: 4) (seal) (Entered: 09/18/1996)
11/20/1996	32	NOTICE of Settlement conference by phone w/MagJ Abel set for 3:00 12/4/96 (cc: all counsel) (wh) (Entered: 11/21/1996)
12/02/1996	33	MOTION by defendant Carlile Patchen & to extend time for m/c class cert (no pgs: 3) (wh) (Entered: 12/03/1996)
12/02/1996	34	AGREED ORDER by Mag. Judge Mark R. Abel -m/c class cert by Emens firm due 1/6/97 (cc: all counsel) (no pgs: 2) (wh) (Entered: 12/03/1996)
12/04/1996	35	CORRECTION by defendant Carlile Patchen to motion to extend time for m/c class cert [33-1] (no pgs: 2) (wh) (Entered: 12/05/1996)

Ex. A-005

12/06/1996	36	ORDER by Mag. Judge Mark R. Abel -Settlement conference held 3:00 12/4/96 -m/c class cert due 1/16/97 (cc: all counsel) (no pgs: 1) (wh) (Entered: 12/09/1996)
12/06/1996	37	ORDER by Mag. Judge Mark R. Abel granting motion to extend time for m/c class cert [33-1], -ext to 1/16/97 (cc: all counsel) (no pgs: 1) (wh) (Entered: 12/10/1996)
12/17/1996	38	ORDER by Judge Joseph P. Kinneary Sr. denying motion to dismiss [18-1] (cc: all counsel) (no pgs: 4) (wh) (Entered: 12/17/1996)
12/19/1996	39	AGREED ORDER by Mag. Judge Mark R. Abel -Emens firm ans due 1/16/97 (cc: all counsel) (no pgs: 2) (wh) (Entered: 12/20/1996)
12/24/1996	40	ATTORNEY SUBSTITUTION: terminating attorney Stephen Joseph Butler for Carlile Patchen &, attorney Stephen Joseph Butler for Dwight I Hurd and substituting attorney William Chester Wilkinson (no pgs: 2) (wh) (Entered: 12/27/1996)
01/16/1997	41	ANSWER by defendant Dwight I Hurd, defendant Carlile Patchen (no pgs: 8) (wh) (Entered: 01/17/1997)
01/16/1997	42	ANSWER by defendant Emens Kegler Brown (no pgs: 10) (wh) (Entered: 01/17/1997)
01/16/1997	43	MOTION by defendant Emens Kegler Brown for summary judgment (no pgs: 51) (wh) (Entered: 01/17/1997)
01/16/1997	44	MEMO IN OPPO by defendant Emens Kegler Brown to motion for class certification [20-1] (no pgs: 46) (wh) (Entered: 01/17/1997)
01/16/1997	45	BRIEF IN OPPO by defendant Dwight I Hurd, defendant Carlile Patchen & to motion for class certification [20-1](no pgs: 21 + exhibits) (wh) (Entered: 01/17/1997)
01/16/1997	46	APPENDIX OF EXHIBITS by defendant Emens Kegler Brown re motion response [44-1], re motion for summary judgment [43-1] (wh) (Entered: 01/17/1997)
01/16/1997	47	NOTICE by defendant Emens Kegler Brown of filing depositions of John P Bryk, William A Burkhardt & Gregory J Burkhardt (no pgs: 2) (wh) (Entered: 01/17/1997)
01/16/1997		Deposition of Gregory J Burkhardt (1 vol 10/28/96) (wh) (Entered: 01/17/1997)
01/16/1997		Deposition of William J Burkhardt (1 vol 10/28/96) (wh) (Entered: 01/17/1997)
01/16/1997		Deposition of Dr John Paul Bryk, Jr (1 vol 10/23/96) (wh) (Entered: 01/17/1997)
01/30/1997	48	AGREED ORDER EXTENDING TIME by Mag. Judge Mark R. Abel, -ext of 10 days for reply to motion to certify class & m/c MSJ (cc: all counsel) (no pgs: 2) (seal) (Entered: 02/03/1997)
02/10/1997	49	ORDER by Mag. Judge Mark R. Abel, -ext to 2/17/97 for reply to motion for

EX. A-606

		class cert & 3/3/97 for m/c MSJ (cc: all counsel) (no pgs: 1) (wh) (Entered: 02/12/1997)
02/18/1997	50	REPLY by plaintiff to response to motion for class certification [20-1] (wh) (Entered: 02/18/1997)
03/03/1997	51	MOTION by defendant Emens Kegler Brown for leave to file sur-reply in oppo to class cert (no pgs: 2 + sur-reply) (wh) Modified on 03/04/1997 (Entered: 03/04/1997)
03/04/1997	52	MEMO IN OPPO by plaintiff to motion for summary judgment [43-1] (no pgs: 26 + exhibits) (wh) (Entered: 03/04/1997)
03/17/1997	53	AGREED ORDER by Mag. Judge Mark R. Abel -ext to 4/16/97 for reply to m/c MSJ (cc: all counsel) (no pgs: 1) (wh) (Entered: 03/18/1997)
04/16/1997	54	REPLY by defendant Emens Kegler Brown to response to motion for summary judgment [43-1] (no pgs: 30 + exhibits) (wh) (Entered: 04/17/1997)
04/17/1997	55	AGREED AMENDMENT TO SCHEDULING ORDER by Mag. Judge Mark R. Abel -pltfs Rule 16 disclosures by 5/15/97 -defts 6wks thereafter (cc: all counsel) (no pgs: 1) (wh) (Entered: 04/18/1997)
05/29/1997	56	AMENDED SCHEDULING ORDER by Mag. Judge Mark R. Abel -conf w/counsel held 5/22/97 -pltfs expert Rule 26 disclosures by 6/30/97 -defts by 8/11/97 (cc: all counsel) (no pgs: 1) (wh) (Entered: 05/29/1997)
06/17/1997	57	NOTICE of Settlement conference set for 10:00 7/16/97 (cc: all counsel) (wh) (Entered: 06/18/1997)
06/25/1997	58	MOTION by defendants Carlile Patchen &, Hurd (Carlile Firm) for hearing on Bryk fitness to serve as class rep (no pgs: 6) (wh) (Entered: 06/27/1997)
08/07/1997	59	NOTICE of Settlement conference w/MagJ Abel set for 11:00 8/15/97 (cc: all counsel) (wh) (Entered: 08/07/1997)
08/13/1997	60	NOTICE of Settlement conference reset to 10:30 9/22/97 (cc: all counsel) (wh) (Entered: 08/13/1997)
01/29/1998	61	ORDER by Mag. Judge Mark R. Abel granting motion for leave to file sur-reply in oppo to class cert [51-1] (cc: all counsel) (no pgs: 1) (wh) (Entered: 01/29/1998)
01/29/1998	62	REPLY by Emens Kegler Brown to response to motion for class certification [20-1] (no pgs: 5) (wh) (Entered: 01/29/1998)
02/05/1998	63	MOTION by Carlile Patchen & to dismiss all claims brought under RICO statute (no pgs: 34) (wh) (Entered: 02/06/1998)
02/06/1998	64	MOTION by Carlile Patchen &, Dwight I Hurd for summary judgment on all common law clms brought by pltf (no pgs: 16 + exhibits) (wh) (Entered: 02/06/1998)
02/11/1998	65	MOTION by Carlile Patchen &, Dwight I Hurd for summary judgment on all clms of pltfs William & Greg Burkhart (no pgs: 14 + exhibits) (wh) (Entered: 02/11/1998)

Ex. A-007

		02/12/1998)
03/02/1998	66	ORDER by Mag. Judge Mark R. Abel -ext to 3/20/98 for m/c dft Carlile Patchen's MSJ, MSJ & MTD (cc: all counsel) (no pgs: 1) (wh) (Entered: 03/03/1998)
03/18/1998	67	STIPULATION of class action settlement and JOINT MOTION for preliminary approval (no pgs: 3 + exhibits) (wh) (Entered: 03/19/1998)
03/18/1998	68	ORDER by Senior Judge Joseph P. Kinneary granting motion for preliminary approval [67-1] of notice for class action certification sett hrg & administration re stip between pltf's & dft Kegler, Brown, Hill & Ritter -In-court hearing set 10:30 6/8/98 (cc: all counsel) (no pgs: 17) (wh) (Entered: 03/19/1998)
03/23/1998	69	ORDER by Mag. Judge Mark R. Abel -ext to 4/20/98 for responses by pltf's to Carlile Patchen, etc MSJ's & MTD (cc: all counsel) (no pgs: 1) (wh) (Entered: 03/25/1998)
03/26/1998	70	OPINION AND ORDER: by Senior Judge Joseph P Kinneary -denying motion for hearing on Bryk fitness as class rep [58-1] -granting motion for class certification [20-1] as to those claims which do not arise from unique oral representations, for the following class: All persons who purchased securities from Dublin Securities Inc during the time period of 1988 through 1992, excepting those purchasers presently within the class certified in Glatz v. Beaman, No. 92-CV-058 (Erie Co., Ohio Common Pleas). The Court finds pltf's W Burkhart & J Bryk are adequate class reps but G Burkhart may not serve as class rep (cc: all counsel) (no pgs: 39) (wh) (Entered: 03/27/1998)
03/27/1998	71	ORDER by Senior Judge Joseph P. Kinneary -amd to order w/respect to class action certification's notice sett hrg & admin (cc: all counsel) (no pgs: 1) (wh) (Entered: 03/31/1998)
04/02/1998	72	NOTICE of Final pretrial conf set for 10:30 10/2/98 (cc: all counsel) (wh) (Entered: 04/02/1998)
04/02/1998	73	NOTICE OF TRIAL: -Final PTO due: 9/29/98 -Jury Trial set for 9:00 11/2/98 (cc: all counsel) (no pgs: 1) (wh) (Entered: 04/02/1998)
04/21/1998	75	RESPONSE by plaintiff to motion for summary judgment on all common law clms brought by pltf [64-1] (no pgs: 7) (wh) (Entered: 04/23/1998)
04/21/1998	76	RESPONSE by William A Burkhart to motion for summary judgment on all clms of pltf's William Burkhart (no pgs: 5 + exhibits) (wh) (Entered: 04/23/1998)
04/21/1998	77	RESPONSE by plaintiff to motion to dismiss all claims brought under RICO statute [63-1] (no pgs: 13) (wh) (Entered: 04/23/1998)
04/22/1998	74	NOTICE of Status conference w/MagJ Abel set for 2:00 4/27/98 (cc: all counsel) (wh) (Entered: 04/22/1998)
04/30/1998	78	STATUS & SCHEDULING CONFERENCE ORDER by Mag. Judge Mark R. Abel -Status conference held 2:00 4/27/98 -joint written Status report ddl

EX. A-008

		set for 8/28/98 -Notice to class to Court by 5/27/98 (cc: all counsel) (no pgs: 3) (wh) (Entered: 04/30/1998)
05/04/1998	79	NOTICE by Robert D Hodge of change of address for atty Anil V Anthony (no pgs: 2) (wh) (Entered: 05/04/1998)
05/05/1998	80	ORDER by Mag. Judge Mark R. Abel -ext to 5/30/98 for rply to MTD & MSJ's (cc: all counsel) (no pgs: 2) (wh) (Entered: 05/05/1998)
05/06/1998	81	NOTICE of Final pretrial conf VACATED 10:30 10/2/98 (cc: all counsel) (wh) (Entered: 05/06/1998)
05/06/1998	82	NOTICE OF Jury trial VACATED 9:00 11/2/98 (cc: all counsel) (wh) (Entered: 05/06/1998)
05/06/1998	83	REPLY by Carlile Patchen & to response to motion to dismiss all claims brought under RICO statute [63-1] (no pgs: 13) (wh) (Entered: 05/08/1998)
05/08/1998	84	REPLY by Carlile Patchen &, Dwight I Hurd to response to motion for summary judgment on all common law clms brought by pltf [64-1] (no pgs: 12) (wh) (Entered: 05/11/1998)
05/12/1998	85	REPLY by Carlile Patchen &, Dwight I Hurd to response to motion for summary judgment on all clms of pltf's William & Greg Burkhart [65-1] (no pgs: 7) (wh) (Entered: 05/18/1998)
05/18/1998	86	CERTIFICATION on issuance of notice of proposed settlement by plaintiff (no pgs: 3 + exhibits) (wh) (Entered: 05/19/1998)
05/26/1998	87	MEMORANDUM by plaintiff in support of settlement [68-2] (no pgs: 13) (wh) (Entered: 05/27/1998)
05/26/1998	88	MOTION by plaintiff for award of attorney fees, incentive awards & reimbursement of litigation expenses (no pgs: 19 + exhibits) (wh) (Entered: 06/08/1998)
05/27/1998	89	MOTION by Carlile Patchen & Murphy and D Hurd for fairness hearing (no pgs: 15) (wh) (Entered: 05/28/1998)
06/02/1998	90	MOTION by plaintiff for approval of misc class sett matters (no pgs: 6) (wh) (Entered: 06/03/1998)
06/08/1998	91	ORDER by Senior Judge Joseph P. Kinneary -3/26/98 order expressly amended to state that nothing therein shall be construed as to supersede, modify or impair the settlement class described in the 3/18/98 order (cc: all counsel) (no pgs: 2) (wh) (Entered: 06/08/1998)
06/08/1998	92	ORDER by Senior Judge Joseph P. Kinneary -approving class counsel's treatment of each different social security number designation as a separate class member (cc: all counsel) (no pgs: 2) (wh) (Entered: 06/08/1998)
06/08/1998	93	ORDER by Senior Judge Joseph P. Kinneary -approving mailing of notice of proposed settlement to certain class members (cc: all counsel) (no pgs: 2) (wh) (Entered: 06/08/1998)

EX. A-009

06/08/1998	94	CIVIL MINUTES: Proceeding before Senior Judge Joseph P. Kinneary Fairness hearing held 6/8/98 -W Blessing, M Florez, J Sunderland, J Zeiger present -Court approves fairness of settlement between pltf's & Emens Kegler & grants pltf's request for incentive awards -J Koenig C/R -WJ Harrison D/C (wh) (Entered: 06/09/1998)
06/09/1998	95	FINAL JUDGMENT by Senior Judge Joseph P. Kinneary approving class-wide settlement dismissing party Emens Kegler Brown w/prejudice and specified claims against Dwight I Hurd (cc: all counsel) (no pgs: 8) (wh) (Entered: 06/10/1998)
06/15/1998	96	ORDER by Senior Judge Joseph P. Kinneary granting motion for award of attorney fees, incentive awards & of litigation expenses [88-1] -class counsel awarded atty fees of 22 1/2% of sett proceeds (\$495,000.00) & reimbursement of litigation expenses through 5/20/98 of \$38,453.52 -incentive award to pltf John P Bryk Jr in amt of \$10,000.00 & William Burkhardt in amt of \$2,500.00 (cc: all counsel) (no pgs: 2) (wh) (Entered: 06/16/1998)
06/15/1998	97	ORDER by Senior Judge Joseph P. Kinneary granting motion for approval of misc class sett matters [90-1] -re payments of amts (cc: all counsel) (no pgs: 2) (wh) (Entered: 06/16/1998)
06/16/1998	98	STATEMENT by Kenneth L. Schneider re shares of Edward J Schneider (no pgs: 3) (wh) (Entered: 06/16/1998)
06/18/1998	99	RETURN OF class notification to Ronald Pope, reason unknown (wh) (Entered: 06/19/1998)
06/23/1998	100	RESPONSE by plaintiff to motion for fairness hearing [89-1] (no pgs: 41) (wh) (Entered: 06/24/1998)
07/06/1998	101	REPLY by Carlile Patchen &, Dwight I Hurd to response to motion for fairness hearing [89-1] (no pgs: 5) (wh) (Entered: 07/07/1998)
07/23/1998	102	MOTION by plaintiff for order authorizing payment of sett proceeds (no pgs: 3) (wh) (Entered: 07/27/1998)
07/24/1998	103	ORDER by Senior Judge Joseph P. Kinneary granting motion for order authorizing payment of sett proceeds [102-1] -sum of \$1,483,681.67 to qualifying class members -\$533,453.52 to class counsel -\$12,500.00 to class reps & \$1,000.00 to Provident Bank (cc: all counsel) (no pgs: 2) (wh) (Entered: 07/27/1998)
08/28/1998	104	NOTICE of Settlement conference w/Judge Kinneary set for 9:30 9/14/98 (cc: all counsel) (wh) (Entered: 08/28/1998)
09/23/1998	105	MOTION by plaintiff class for order authorizing changes to class members names for distribution of proceeds () (bw) (Entered: 09/23/1998)
09/23/1998	106	ORDER by Senior Judge Joseph P. Kinneary granting motion for order authorizing changes to class members names for distribution of proceeds [105-1] (cc: all counsel) (no pgs: 2) (bw) (Entered: 09/23/1998)
12/14/1998	107	MOTION by plaintiff for order to change class member names for purposes of

EX. A-010

		distribution of sett proceeds (no pgs: 2) (wh) (Entered: 12/15/1998)
12/18/1998	108	ORDER by Senior Judge Joseph P. Kinneary granting motion for order to change class member names for purposes of distribution of sett proceeds [107-1] (cc: all counsel) (no pgs: 1) (wh) (Entered: 12/18/1998)
01/28/1999	109	MOTION by John P Bryk, Gregory J Burkhart, William A Burkhart, Dwight I Hurd, Carlile Patchen & for entry of fnl jgm approving 2nd class sett & dismissing w/prejudice dfts Carlile, Patchen & Murphy and Hurd (no pgs: 2 + exhibits) (wh) (Entered: 01/29/1999)
01/28/1999	111	STIPULATION re motion for entry of fnl jgm approving 2nd class sett & dismissing w/prejudice dfts Carlile, Patchen & Murphy and Hurd [109-1] (wh) (Entered: 01/29/1999)
01/28/1999	111	MOTION by John P Bryk, Gregory J Burkhart, William A Burkhart, Dwight I Hurd, Carlile Patchen & for prelim approval (no pgs: 2 + exhibits) (wh) (Entered: 01/29/1999)
01/28/1999	110	ORDER by Senior Judge Joseph P. Kinneary granting motion for prelim approval [111-1] (cc: all counsel) (no pgs: 4 exhibits) (wh) (Entered: 02/01/1999)
02/02/1999	112	ORDER by Senior Judge Joseph P. Kinneary finding the motion for fairness hearing [89-1] moot (cc: all counsel) (no pgs: 2) (wh) (Entered: 02/02/1999)
04/22/1999	113	Class Counsel's CERTIFICATION on issuance of Notice of proposed Settlement (no pgs: 2 + exhibits) (wh) (Entered: 04/28/1999)
04/27/1999	114	MEMORANDUM in support of Second Settlement by class counsel (no pgs: 12) (wh) (Entered: 04/28/1999)
04/27/1999	115	MOTION by plaintiff counsel for attorney fees , incentive awards & reimbursement of litigation expenses (no pgs: 19 + exhibits) (wh) (Entered: 04/28/1999)
04/28/1999	116	MOTION by plaintiff for special order for Notice to Certain Class Memembers re Revised Loss Calculaitons (no pgs: 5) (wh) (Entered: 04/28/1999)
04/29/1999	117	ORDER by Senior Judge Joseph P. Kinneary granting motion for special order for Notice to Certain Class Memembers re Revised Loss Calculaitons [116-1] & ext to 6/1/99 for these 109 persons to deliver signed clm form to class counsel (cc: all counsel) (no pgs: 2) (wh) (Entered: 04/29/1999)
04/29/1999	118	MOTION by plaintiff's counsel for order authorizing database changes & sett admin procedures (no pgs: 3) (wh) (Entered: 04/30/1999)
05/07/1999	119	NOTICE by plaintiff's counsel of idenitfication of class members requesting exclusion from proposed 2nd class sett (no pgs: 3) (wh) (Entered: 05/10/1999)
05/11/1999	120	CIVIL MINUTES: Proceeding before Senior Judge Joseph P. Kinneary - Fairness hrg held 5/11/99, 10:30 a.m. on Carlile Patchen, D Hurd settlement - William Blessing for pltf's -John Sunderland for dfts -granting motion for order authorizing database changes & sett admin procedures [118-1] -granting motion for attorney fees [115-1] -granting motion for entry of fnl jgm

Ex. A-011

		approving 2nd class sett & dismissing w/prejudice dfts Carlile, Patchen & Murphy and Hurd [109-1] dismissing dfts Carlile, Patchen & Murphy and Hurd -judgment entry to follow -mtn to dismiss remaining dfts to follow -mtn to disburse add funds from first sett to follow -G Wells C/R -WJ Harrison D/C (no pgs: 1) (wh) (Entered: 05/13/1999)
05/11/1999	121	ORDER by Senior Judge Joseph P. Kinneary granting motion for attorney fees [115-1] -counsel awarded 22 1/2 % atty fees, expenses of \$26,374.52 & projected expenses of \$6,405.00, pltf's incentive award of \$45,000 to Bryk & \$2500 to Brukhart (cc: all counsel) (no pgs: 2) (wh) (Entered: 05/13/1999)
05/11/1999	122	ORDER by Senior Judge Joseph P. Kinneary -granting database changes & sett admin procedures (cc: all counsel) (no pgs: 2) (wh) (Entered: 05/13/1999)
05/11/1999	123	JUDGMENT approving second class sett by Senior Judge Joseph P Kinneary and dismissing w/prejudice clms against party Carlile Patchen & party Dwight I Hurd, (cc: all counsel) (no pgs: 7) (wh) (Entered: 05/13/1999)
05/13/1999	124	ORDER by Senior Judge Joseph P. Kinneary -Paul A Dabney & Barry Sutherland allowed to participate in settlement (cc: all counsel) (no pgs: 2) (wh) (Entered: 05/13/1999)
06/17/1999	125	MOTION by plaintiff to authorize payment of proceeds of settlement w/dfts Carlile Patchen & Murphy and Hurd (no pgs: 3 + order) (wh) (Entered: 06/23/1999)
06/22/1999	126	ORDER by Senior Judge Joseph P. Kinneary -granting motion to authorize payment of proceeds of settlement w/dfts Carlile Patchen & Murphy and Hurd [125-1] -\$1,518,900.15 to Qualifying Class Members -\$497,007.48 to Class Counsel -\$47,500 to Class Rep -\$1,000 to Provident Bank (cc: all counsel) (no pgs: 2) (wh) (Entered: 06/24/1999)
10/26/1999	127	MOTION by plaintiff for order authorizing final distribution of Kegler sett proceeds (no pgs: 3 + exhibits) (wh) (Entered: 11/01/1999)
10/28/1999	128	ORDER by Senior Judge Joseph P. Kinneary granting motion for order authorizing final distribution of Kegler sett proceeds [127-1] -\$17,284.69 to class counsel -\$301,628.25 to Qualifying Class Members (cc: all counsel) (no pgs: 1) (wh) (Entered: 11/01/1999)
11/09/1999	129	ORDER by Senior Judge Joseph P. Kinneary -holds in abeyance its decision re other individuals that have submitted letter to court (cc: all counsel) (no pgs: 2) (wh) (Entered: 11/09/1999)
11/16/1999	130	LETTER to court from Bernadine Kotlarchik re disbursement of funds (no pgs: 4) (wh) (Entered: 11/17/1999)
11/18/1999	131	ORDER by Senior Judge Joseph P. Kinneary -decision at to Ms Kotlarchik participation in settlement held in abeyance -Status report ddl set for 1/10/00 (cc: all counsel) (no pgs: 2) (wh) (Entered: 11/19/1999)
12/08/1999	132	ORDER by Senior Judge Joseph P. Kinneary -court holds in abeyance decision as to Shaku Patel's participation in settlement (cc: all counsel) (no pgs: 2) (wh) (Entered: 12/08/1999)

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12/08/1999	133	LETTER to court from Shaku Patel re settlement of case (wh) (Entered: 12/08/1999)
12/20/1999		Mail Returned [132-1] addressed to Anil V Anthony for defendant Robert D Hodge (pl) (Entered: 12/27/1999)
01/11/2000	134	STATUS REPORT by plaintiff John P Bryk, plaintiff Gregory J Burkhart, plaintiff William A Burkhart on disbursements and remaining funds from class settlement with defts Carlile Patchen & Murphy and Dwight Hurd (no pgs: 2) (pl) (Entered: 01/12/2000)
01/12/2000	135	Addendum by plaintiff John P Bryk, plaintiff Gregory J Burkhart, plaintiff William A Burkhart re report [134-1] (containing exemplar check) (no pgs: 3) (pl) (Entered: 01/12/2000)
05/26/2000	136	ORDER by Senior Judge Joseph P. Kinneary ; Status report ddl set 6/16/00 Court holds in abeyance its decision as to whether Ms Brennan or Ms. Swartz may participate in the sharing of the proceeds of the class settlement (cc: all counsel) (no pgs: 4) (pl) (Entered: 05/26/2000)
06/16/2000	137	SUPPLEMENTAL STATUS REPORT by plaintiff John P Bryk, plaintiff Gregory J Burkhart, plaintiff William A Burkhart (no pgs: 3) (sem) (Entered: 06/16/2000)
06/21/2000	138	ORDER by Senior Judge Joseph P. Kinneary ordering payment to qualifying class members in re supplemental status report (cc: all counsel) (no pgs: 3) (sem) (Entered: 06/21/2000)
06/30/2000		Mail Returned [138-1] addressed to Anil V Anthony for defendant Robert D Hodge - no current address available (pl) Modified on 07/05/2000 (Entered: 07/05/2000)
07/20/2000	139	LETTER to court from attorney William Blessing in re Patricia Green (no pgs: 2) (sem) (Entered: 07/20/2000)
07/20/2000	140	ORDER by Senior Judge Joseph P. Kinneary that class counsel shall make payment to Patricia Green as soon as practicable; class counsel shall file a supplemental status report within 30 days from the date of this order (cc: all counsel) (no pgs: 2) (sem) (Entered: 07/20/2000)
08/21/2000	141	STATUS REPORT by plaintiff John P Bryk, plaintiff Gregory J Burkhart, plaintiff William A Burkhart in re remaining funds from class settlements (no pgs: 2) (sem) (Entered: 08/21/2000)
09/28/2000	142	MOTION by plaintiff John P Bryk, plaintiff Gregory J Burkhart, plaintiff William A Burkhart for order of approval in re miscellaneous class settlement matters (no pgs: 2) (sem) (Entered: 09/28/2000)
09/28/2000	143	ORDER by Senior Judge Joseph P. Kinneary that the Court accepts class counsel's recommendation and ORDERS class counsel to transfer any remaining proceeds into the Ohio Victims of Crime Fund dismissing case (cc: all counsel) (no pgs: 3) (sem) (Entered: 09/28/2000)
02/28/2002		Remark: Depositions destroyed per Local Rule 79.2 (sem) (Entered: 02/28/2002)

Ex. A - 013

	02/28/2002)
06/19/2007	File located in Chicago: Accession No. 021 06 0166; Location No. 864910-865207; Box 23 of 298; (Vol.1); Box 24 of 494 (Vols.2-6)(bam) (Entered: 06/19/2007)

PACER Service Center			
Transaction Receipt			
10/18/2012 22:16:35			
PACER Login:	yw0178	Client Code:	
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Billable Pages:	9	Cost:	0.90

EX. A-014

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CONFORMED SUBMISSION TYPE: N-4/A
PUBLIC DOCUMENT COUNT: 12
FILED AS OF DATE: 19980609
SROS: NONE

FILER:

COMPANY DATA:
COMPANY CONFORMED NAME: AMERICAN EQUITY LIFE ANNUITY ACCOUNT
CENTRAL INDEX KEY: 0001055368
STANDARD INDUSTRIAL CLASSIFICATION: []
STATE OF INCORPORATION: IA
FISCAL YEAR END: 1231

FILING VALUES:
FORM TYPE: N-4/A
SEC ACT:
SEC FILE NUMBER:333-46593
FILM NUMBER: 98644731

FILING VALUES:
FORM TYPE: N-4/A
SEC ACT:
SEC FILE NUMBER:811-08663
FILM NUMBER: 98644732

BUSINESS ADDRESS:
STREET 1: 5400 UNIVERSITY AVE
CITY: WEST DES MOINES
STATE: IA
ZIP: 50266
BUSINESS PHONE: 5152255400

MAIL ADDRESS:
STREET 1: 5400 UNIVERSITY AVE
CITY: WEST DES MOINES
STATE: IA
ZIP: 50266

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AS FILED WITH THE SECURITIES AND EXCHANGE COMMISSION ON JUNE 9, 1998

FILE NO. 333-46593

FILE NO. 811-08663

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM N-4

REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933 / /

PRE-EFFECTIVE AMENDMENT NO. 1 /X/

POST-EFFECTIVE AMENDMENT NO. / /

REGISTRATION STATEMENT UNDER THE INVESTMENT COMPANY ACT OF 1940 / /

AMENDMENT NO. / /

AMERICAN EQUITY LIFE ANNUITY ACCOUNT
(Exact Name of Registrant)

AMERICAN EQUITY INVESTMENT

EXHIBIT B-001

LIFE INSURANCE COMPANY
(Name of Depositor)

5000 Westtown Parkway, Suite 440
West Des Moines, Iowa 50266
(Address of Depositor's Principal Executive Offices)

DEBRA J. RICHARDSON
5000 Westtown Parkway, Suite 440
West Des Moines, Iowa 50266
(Name and Address of Agent for Service of Process)

COPY TO:
STEPHEN E. ROTH, ESQUIRE
Sutherland, Asbill & Brennan LLP
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2415

APPROXIMATE DATE OF PROPOSED PUBLIC OFFERING: AS SOON AS PRACTICABLE AFTER
THE EFFECTIVE DATE OF THIS REGISTRATION STATEMENT.

SECURITIES BEING OFFERED: FLEXIBLE PREMIUM DEFERRED VARIABLE ANNUITY
CONTRACTS.

THE REGISTRANT HEREBY AMENDS THIS REGISTRATION STATEMENT ON SUCH DATES AS
MAY BE NECESSARY TO DELAY ITS EFFECTIVE DATE UNTIL THE REGISTRANT SHALL FILE A
FURTHER AMENDMENT WHICH SPECIFICALLY STATES THAT THIS REGISTRATION STATEMENT
SHALL THEREAFTER BECOME EFFECTIVE IN ACCORDANCE WITH SECTION 8(a) OF THE
SECURITIES ACT OF 1933 OR UNTIL THE REGISTRATION STATEMENT SHALL BECOME
EFFECTIVE ON SUCH DATE AS THE COMMISSION, ACTING PURSUANT TO SAID SECTION 8(a),
MAY DETERMINE.

<PAGE>

CROSS REFERENCE SHEET
PURSUANT TO RULES 481(a) AND 495(a)

Showing location in Part A (prospectus) and Part B (statement of additional
information) of registration statement of information required by Form N-4

PART A

<TABLE>
<CAPTION>

ITEM OF FORM N-4

PROSPECTUS CAPTION

<C>	<S>	<C>
1.	Cover Page.....	Cover Page
2.	Definitions.....	Definitions
3.	Synopsis.....	Expense Tables; Summary
4.	Condensed Financial Information....	Yields and Total Returns
5.	General	
	(a) Depositor.....	American Equity Investment Life Insurance Company
	(b) Registrant.....	American Equity Life Annuity Account
	(c) Portfolio Company.....	Investment Options
	(d) Fund Prospectus.....	Investment Options
	(e) Voting Rights.....	Voting Rights
	(f) Administrators.....	N/A
6.	Deductions and Expenses	
	(a) General.....	Charges and Deductions; Summary
	(b) Sales Load %.....	Charges and Deductions; Summary
	(c) Special Purchase Plan.....	N/A
	(d) Commissions.....	Distribution of the Contracts
	(e) Expenses -- Registrant.....	Charges and Deductions; Summary
	(f) Fund Expenses.....	Investment Options; Charges and Deductions
	(g) Organizational Expenses.....	N/A
7.	Contracts	
	(a) Persons with Rights.....	Summary; Addition, Deletion or Substitution of Investments; Description of Annuity Contract; Payment Options; Voting Rights
	(b) (i) Allocation of Purchase Payments.....	Summary; Premiums; Free-Look Period; Allocation of Premiums
	(ii) Transfers.....	Summary; Transfer Privilege
	(iii) Exchanges.....	Transfers, Assignments or Exchanges of a Contract
	(c) Changes.....	Additions, Deletions or Substitutions of Investments; Description of Annuity Contract; Modification;
	(d) Inquiries.....	Cover page; Inquiries
8.	Annuity Period.....	Summary; Payment Options
9.	Death Benefit.....	Death Benefit Before the Retirement Date; Death Benefit After the Retirement Date
10.	Purchases and Contract Value	
	(a) Purchases.....	Summary; Issuance of a Contract; Premiums; Free Look Period; Allocation of Premiums; Variable Cash Value;
	(b) Valuation.....	Definitions; Variable Cash Value;
	(c) Daily Calculation.....	Definitions; Variable Cash Value;
	(d) Underwriter.....	Issuance of a Contract; Distribution of the Contracts
11.	Redemptions	
	(a) -- By Owners.....	Summary; Transfer Privilege; Surrenders and Partial Surrenders; Proceeds on the

EX. B-002

-- By Annuitant.....	Retirement Date; Payments; Payment Options; Federal Tax Matters Summary; Transfer Privilege; Surrenders and Partial Surrenders; Proceeds on the Retirement Date; Payments; Payment Options; Federal Tax Matters
(b) Taxes ORP.....	N/A
(c) Check Delay.....	Payments
(d) Lapse.....	N/A
(e) Free Look.....	Summary; Free Look Period

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13. Legal Proceedings.....	Legal Proceedings	
14. Table of Contents for the Statement of Additional Information.....	Statement of Additional Information Table of Contents	

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PART B

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ITEM OF FORM N-4

PART B CAPTION

<C>	<S>	<C>
15. Cover Page.....	Cover Page	
16. Table of Contents.....	Table of Contents	
17. General Information and History....	General Information About the Company	
18. Services		
(a) Fees and Expenses of Registrant.....	N/A	
(b) Management Contracts.....	N/A	
(c) Custodian.....	N/A	
Independent Public Accountant..	Experts	
(d) Assets of Registrant.....	N/A	
(e) Affiliated Persons.....	N/A	
(f) Principal Underwriter.....	Distribution of the Contracts (prospectus)	
19. Purchase of Securities Being Offered.....	Distribution of the Contracts (prospectus)	
Offering Sales Load.....	N/A	
20. Underwriters.....	Distribution of the Contracts (prospectus)	
21. Calculation of Performance Data....	Calculation of Yields and Total Returns; Yields and Total Returns (prospectus)	
22. Annuity Payments.....	Payment Options (prospectus)	
23. Financial Statements.....	Financial Statements	

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PART C -- OTHER INFORMATION

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ITEM OF FORM N-4

PART C CAPTION

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24. Financial Statements and Exhibits.....	Financial Statements and Exhibits	
(a) Financial Statements.....	(a) Financial Statements	
(b) Exhibits.....	(b) Exhibits	
25. Directors and Officers of the Depositor.....	Directors and Officers of American Equity Investment Life Insurance Company	
26. Persons Controlled By or Under Common Control with the Depositor or Registrant.....	Persons Controlled By or In Common Control with the Depositor or Registrant	
27. Number of Contractowners.....	Number of owners	
28. Indemnification.....	Indemnification	
29. Principal Underwriters.....	Principal Underwriter	
30. Location of Accounts and Records...	Location of Books and Records	
31. Management Services.....	Management Services	
32. Undertakings.....	Undertakings and Representations	
Signature Page.....	Signatures	

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PROSPECTUS

AMERICAN EQUITY LIFE ANNUITY ACCOUNT
INDIVIDUAL FLEXIBLE PREMIUM DEFERRED
VARIABLE ANNUITY CONTRACT

This Prospectus describes the individual flexible premium deferred variable annuity contract (the "Contract") being offered by American Equity Investment Life Insurance Company (the "Company"). The Contract may be sold to or in connection with retirement plans, including those that qualify for special federal tax treatment under the Internal Revenue Code.

Premiums and accumulated values are allocated, as designated by the owner, to one or more of the subaccounts of the American Equity Life Annuity Account (the "Account"), the Declared Interest Option, or both. The assets of each Subaccount will be invested solely in shares of the corresponding Investment Options: Value Growth Portfolio, High Grade Bond Portfolio, High Yield Bond Portfolio, Money Market Portfolio and Blue Chip Portfolio of EquiTrust Variable Insurance Series Fund; Equity Income Portfolio, Mid-Cap Growth Portfolio, New America Growth Portfolio and Personal Strategy Balanced Portfolio of T. Rowe Price Equity Series, Inc.; International Stock Portfolio of T. Rowe Price International

EX. B-003

By its authorized officer

By: /s/ Darrell N. Braman

Title: Vice President

Date: June 8, 1998

<PAGE>

SCHEDULE A

Name of Separate Account and Date Established by Board of Directors:

American Equity Life Variable Account
1/12/98

Contracts Funded by Separate Account:

Flexible Premium Variable Life Insurance Policy

Designated Portfolios:

T. Rowe Price Equity Series, Inc.
- Equity Income Portfolio
- Mid-Cap Growth Portfolio
- New America Growth Portfolio
- Personal Strategy Balanced Portfolio
T. Rowe Price International Series, Inc.
- International Stock Portfolio

Name of Separate Account and Date Established by Board of Directors:

American Equity Life Annuity Account
1/12/98

Contracts Funded by Separate Account:

Flexible Premium Deferred Variable Annuity Contract

Designated Portfolios:

T. Rowe Price Equity Series, Inc.
- Equity Income Portfolio
- Mid-Cap Growth Portfolio
- New America Growth Portfolio
- Personal Strategy Balanced Portfolio
T. Rowe Price International Series, Inc.
- International Stock Portfolio

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Whitfield & Eddy, P.L.C. letterhead

May 21, 1998

Securities and Exchange Commission
450 Fifth Street, N.W.
Washington, D.C. 20549

Gentlemen,

With reference to the Registration Statement on Form N-4 filed by American Equity Investment Life Insurance Company ("Company") and its American Equity Life Annuity Account with the Securities and Exchange Commission covering certain variable annuity contracts, I have examined such documents and such law as I considered necessary and appropriate, and on the basis of such examinations, it is my opinion that:

- (1) Company is duly organized and validly existing under the laws of the State of Iowa.
- (2) The variable annuity contracts, when issued as contemplated by the said Form N-4 Registration Statement will constitute legal, validly issued and binding obligations of American Equity Investment Life Insurance Company.

Ex. B-004

I hereby consent to the filing of this opinion as an exhibit to the said Form N-4 Registration Statement and to the reference to my name under the caption "Legal Matters" in the Prospectus contained in the said Registration Statement. In giving this consent, I am not admitting that I am in the category of persons whose consent is required under Section 7 of the Securities Act of 1933.

Very truly yours,

/s/ Wendy L. Carlson

Wendy L. Carlson
Whitfield & Eddy, P.L.C.

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Sutherland, Asbill & Brennan LLP letterhead

May 29, 1998

American Equity Investment Life Insurance Company
5000 Westown Parkway, Suite 440
West Des Moines, Iowa 50266

Gentlemen:

We hereby consent to the reference to our name under the caption "Legal Matters" in the statement of additional information filed as part of the registration statement on Form N-4 for American Equity Life Annuity Account (File No. 333-46593). In giving this consent, we do not admit that we are in the category of persons whose consent is required under Section 7 of the Securities Act of 1933.

Sincerely,

SUTHERLAND, ASBILL & BRENNAN LLP

/s/ Stephen E. Roth, Esq.

Stephen E. Roth
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Ernst & Young LLP letterhead

The Board of Directors
American Equity Investment Life Insurance Company

We consent to the reference to our firm under the captions "Financial Statements" and "Experts" and to the use of our report dated April 8, 1998 with respect to American Equity Investment Life Insurance Company, in the Registration Statement under the Securities Act of 1933 (Form N-4 No. 333-46593) and related Prospectus of American Equity Investment Life Annuity Account.

Sincerely,

/s/ Ernst & Young LLP

Des Moines, Iowa
June 9, 1998

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American Equity letterhead

EX. B-005

May 21, 1998

American Equity Investment Life Insurance Company
5000 Westown Parkway, Suite 440
West Des Moines, Iowa 50266

Gentlemen:

This opinion is furnished in connection with the registration by American Equity Investment Life Insurance Company of a flexible premium deferred variable annuity contract ("Contract") under the Securities Act of 1933, as amended. The prospectus included in Pre-Effective Amendment No. 1 to the Registration Statement on Form N-4 (File No. 333-46593) describes the Contract. I have provided actuarial advice concerning the preparation of the contract form described in the Registration Statement, and I am familiar with the Registration Statement and exhibits thereto.

It is my professional opinion that the fees and charges deducted under the Contract, in the aggregate, are reasonable in relation to the services rendered, the expenses expected to be incurred and the risks assumed by the insurance company.

I hereby consent to the use of this opinion as an exhibit to Pre-Effective Amendment No. 1 to the Registration Statement.

Sincerely,

/s/ Christopher G. Daniels

Christopher G. Daniels, FSA, MSAA
Consulting Actuary
American Equity Investment Life Insurance Company

</TEXT>

</DOCUMENT>

</SEC-DOCUMENT>

-----END PRIVACY-ENHANCED MESSAGE-----

Ex. B-606

At December 31, 2004, 85% of our fixed income securities have call features and 9% were subject to call redemption. Another 70% will become subject to call redemption through December 31, 2005. During the years ended December 31, 2004 and 2003, we received \$2.18 billion and \$2.52 billion, respectively, in net redemption proceeds related to the exercise of such call options. We have reinvestment risk related to these redemptions to the extent we cannot reinvest the net proceeds in assets with credit quality and yield characteristics similar to the redeemed bonds. Such reinvestment risk typically occurs in a declining rate environment. Should rates decline to levels which tighten the spread between our average portfolio yield and average cost of interest credited on our annuity liabilities, we have the ability to reduce crediting rates on most of our annuity liabilities to maintain the spread at our targeted level. At December 31, 2004, approximately 82% of our annuity liabilities are subject to annual adjustment of the applicable crediting rates at our discretion, limited by minimum guaranteed crediting rates of 2% to 4%.

With respect to our index annuities, we purchase call options on the applicable indices to fund the annual index credits on such annuities. These options are primarily one-year instruments purchased to match the funding requirements of the underlying policies. Proceeds received at expiration of the call options are substantially offset by an increase in the amounts added to policyholder account balances for index products. For the years ended December 31, 2004 and 2003, index credits to policyholders on their anniversaries were \$122.7 million and \$44.2 million, respectively. Proceeds received at expiration of these options related to such credits were \$87.2 million and \$41.1 million, respectively. The difference between proceeds received at expiration of these options and index credits for 2004 is primarily due to credits attributable to minimum guaranteed interest self funded by us. During 2003, we refined our hedging process to purchase options out of the money to the extent of anticipated minimum guaranteed interest on index policies. On the anniversary dates of the index policies, we purchase new one-year call options to fund the next annual index credits. The risk associated with these prospective purchases is the uncertainty of the cost, which will determine whether we are able to earn our spread on our index business. This is a risk we attempt to manage through the terms of our index annuities, which permit us to change annual participation rates, asset fees, and caps, subject to contractual features. By modifying participation rates, asset fees or caps, we can limit option costs to budgeted amounts, except in cases where the contractual features would prevent further modifications. Based upon actuarial testing which we conduct as a part of the design of our index products and on an ongoing basis, we believe the risk that contractual features would prevent us from controlling option costs is not material.

ITEM 8. CONSOLIDATED FINANCIAL STATEMENTS AND SUPPLEMENTARY DATA.

The consolidated financial statements are included as a part of this report on Form 10-K on pages F-1 through F-34.

ITEM 9. CHANGES IN AND DISAGREEMENTS WITH ACCOUNTANTS ON ACCOUNTING AND FINANCIAL DISCLOSURE

None.

ITEM 9A. CONTROLS AND PROCEDURES

Evaluation of Disclosure Controls and Procedures.

In accordance with Rule 13a-15(b) of the Securities Exchange Act of 1934 (the "Exchange Act"), as of the end of the period covered by this *Annual Report on Form 10-K*, the Company's management evaluated, with the participation of the Company's Chief Executive Officer and Chief Financial Officer, the effectiveness of the design and operation of the Company's disclosure controls and procedures (as defined in Rule 13a-15(e) under the Exchange Act). Based on their evaluation of these disclosure

EXHIBIT C-001

controls and procedures, the Company's Chief Executive Officer and Chief Financial Officer have concluded that, as a result of the material weakness in the Company's internal control over financial reporting discussed below, the disclosure controls and procedures were not effective in recording, processing, summarizing and reporting, on a timely basis, information required to be disclosed by the Company in the reports the Company files or submits under the Exchange Act.

Management's Report on Internal Control over Financial Reporting.

The management of the Company is responsible for establishing and maintaining adequate internal control over financial reporting, as defined in the Exchange Act Rule 13a-15(f). The Company's internal control system is designed to provide reasonable assurance to the Company's management and the board of directors regarding the preparation and fair presentation of published financial statements. All internal control systems, no matter how well designed, have inherent limitations. Therefore, even those systems determined effective can provide only reasonable assurance with respect to financial statement preparation and presentation. Also, projections of any evaluation of effectiveness to future periods are subject to risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

The Company's management assessed the effectiveness of the Company's internal control over financial reporting as of December 31, 2004 based upon criteria established in Internal Control — Integrated Framework issued by the Committee of Sponsoring Organizations of the Treadway Commission. Management determined a lack of formal documentation exists surrounding the Company's review of its deferred policy acquisition costs and deferred sales inducements, its unlocking analysis and the related assumptions and estimates used in connection with these items. In addition management concluded that the review of inputs into the models for estimating deferred policy acquisition costs and deferred sales inducements was inadequate. As a result, management has concluded that a material weakness exists and thus is not be able to conclude that its internal control over financial reporting was effective as of the end of the period covered by the Company's Annual Report on Form 10-K. However, this weakness in the Company's internal control over financial reporting did not result in any material misstatement of the Company's financial statements for 2004.

Management's assessment of the effectiveness of our internal control over financial reporting as of December 31, 2004 has been audited by Ernst & Young LLP, an independent registered public accounting firm, as stated in their report which is included elsewhere herein.

Remediation

The Company's remediation of this material weakness includes the implementation of additional review procedures for the inputs into the models for deferred policy acquisition costs and deferred sales inducements and a more formal documentation process of the review and approval at each reporting period of the amounts recorded for deferred policy acquisition costs and deferred sales inducements and the assumptions and estimates used in this process. This remediation is expected to be in place prior to the filing of the Company's first quarterly report in 2005.

Report of Independent Registered Public Accounting Firm on Internal Control over Financial Reporting

The Board of Directors and Stockholders
American Equity Investment Life Holding Company

We have audited management's assessment, included in the accompanying Management's Report on Internal Control over Financial Reporting, that American Equity Investment Life Holding Company did not maintain effective internal control over financial reporting as of December 31, 2004, because of the effect of the material weakness identified in management's assessment as described below based on criteria established in Internal Control — Integrated Framework issued by the Committee of

EX, C-002

Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R10

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

GMAC Mortgage Corporation

Plaintiff,

vs.

Yvonne D. Lewis aka Yvonne D. Webb-Lewis,
et al.

Defendants.

Case No. 05CVE-04-4555

Judge Julie M. Lynch

NOTICE OF ASSIGNMENT OF BID

Plaintiff GMAC Mortgage Corporation, acting through counsel, hereby gives notice that
it has assigned its bid on the sale of the property that is the subject of this foreclosure action to
the following person:

Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043


Respectfully submitted,


Matthew J. Richardson (0077157)

Holly N. Wolf (0068847)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-220-5613
Email: mjr2@mdk-llc.com
Attorney for Plaintiff

THE STATE OF OHIO
Franklin County, ss

I, MARVELLEN O'SHAUGHNESSY, Clerk
OF THE COURT OF COMMON
PLEAS WITHIN AND FOR
SAID COUNTY,

HEREBY CERTIFY THAT THE ABOVE AND FORE-
GOING IS TRULY TAKEN AND COPIED FROM THE
ORIGINAL *note*
NOW ON FILE IN MY OFFICE
WITNESS MY HAND AND SEAL OF SAID COUNTY
THIS *15th* DAY OF *May* A.D. *2012*
MARVELLEN O'SHAUGHNESSY, Clerk
By  Deputy

Ref# 05-2846/NNW

EXHIBIT A-001

F14


Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R11

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Assignment of
Bid was sent to the following by ordinary U.S. Mail, postage prepaid, on the date indicated
below:

Yvonne D. Lewis aka Yvonne D. Webb-Lewis
1875 Alvason Avenue
Columbus, OH 43219

Sidney T. Lewis
1875 Alvason Avenue
Columbus, OH 43219



Matthew J. Richardson
Molly N. Wolf
May 30, 2012

Dated

EX. D-002

B10 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY COURT Southern District of Ohio		PROOF OF CLAIM
Name of Debtor: Sidney T Lewis		Case Number: 2:07-57237
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): 5 HUNTINGTON NATL BANK Name and address where notices should be sent: 5 HUNTINGTON NATL BANK C/O LINDSEY SESTILE PORTER WRIGHT MORRIS AND ARTHUR LLC 41 S HIGH STREET COLUMBUS OH 43215-6101 Telephone number: 614-227-2177		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number (if known): Filed on:
Name and address where payment should be sent (if different from above): Telephone number:		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: <u>\$ 20,638.25</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507(a)().
2. Basis for Claim: <u>Judgment in the Supreme Court of Ohio</u> (See instruction #2 on reverse side.)		Amount entitled to priority: \$ _____ <small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
3. Last four digits of any number by which creditor identifies debtor: _____ 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate: % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		FOR COURT USE ONLY
Date: <u>6/6/08</u> Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. <u>Lindsay Sestile, Attorney for Creditor</u>		

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both, 18 U.S.C. §§ 1343 and 3571.

EXHIBIT E-001

101-524

The Supreme Court of Ohio

ON COMPUTER-KMR

FILED

MAY 25 2005

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

Sidney T. Lewis, Yvonne D. Webb-Lewis

Case No. 05-150

v.

ENTRY

J.E. Wiggins & Co. et al.

This cause came on for further consideration of appellee's motion for sanctions for frivolous action and motion for an order declaring appellants vexatious litigators, and appellants' motion to dismiss or, in the alternative, for order to amend commingled motions for sanctions and for an order declaring appellants vexatious litigators, motion to remand the instant case to trial court for its findings of facts and conclusions of law regarding compliance with statutes, and motion for order declaring The Huntington National Bank and its counsel vexatious litigators. Upon consideration thereof,

IT IS ORDERED by the Court that appellee's motion for sanctions for frivolous action be, and hereby is, granted. The motion for an order declaring appellants vexatious litigators is denied as moot, since appellants were deemed vexatious litigators by this Court on May 11, 2005.

IT IS FURTHER ORDERED by the Court, *sua sponte*, that appellee shall file a bill and documentation in support of an award for attorney fees, in accordance with the guidelines set forth in DR 2-106, within 20 days of the date of this entry; appellants may file objections to appellee's bill and documentation within 10 days of the filing of the bill and documentation; appellee may file a reply to appellants' objections, if any, within 5 days of the filing of the objections.

IT IS FURTHER ORDERED by the Court that all of appellants' motions be, and hereby are, denied as moot.

(Franklin County Court of Appeals; Nos. 04AP469, 04AP544 and 04AP668)

I HEREBY CERTIFY that this document
is a true and accurate copy of the
entry of the Supreme Court of Ohio
filed 5/25/05 in Supreme
Court case number 05-150

In witness whereof I have hereunto
subscribed my name and affixed the
seal of the Supreme Court of Ohio
on this 22nd day of August, 2005.

MARCIA J. MENGEL, Clerk

by Rat Vaj, Deputy

THOMAS J. MOYER
Chief Justice

EX. E-002

ON COMPUTER-KMR

102-100

FILED

The Supreme Court of Ohio

AUG 10 2005

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

Sidney T. Lewis, Yvonne D. Webb-Lewis

Case No. 05-150

v.

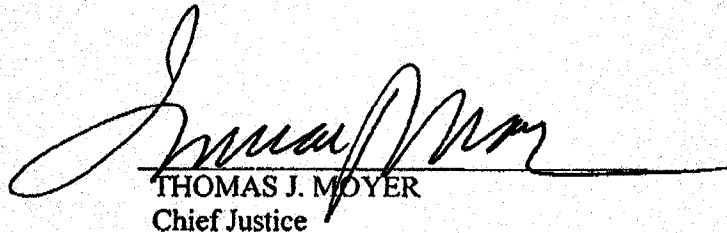
ENTRY

J. E. Wiggins & Co. et al.

This cause came on for further consideration of the bill and documentation in support of attorney fees filed by The Huntington National Bank in response to the Court's entry of May 25, 2005. Upon consideration thereof,

IT IS ORDERED by the Court that The Huntington National Bank is awarded attorney fees in the amount of \$28,517.00.

(Franklin County Court of Appeals; Nos. 04AP469, 04AP544 and 04AP668)


THOMAS J. MOYER
Chief Justice

I HEREBY CERTIFY that this document
is a true and accurate copy of the
entry of the Supreme Court of Ohio
filed 8/10/05 in Supreme
Court case number 05-150.

In witness whereof I have hereunto
subscribed my name and affixed the
seal of the Supreme Court of Ohio
on this 22nd day of August, 2005.

MARCIA J. MENGEL, Clerk

by Robert Van, Deputy

EX. E-003

The Supreme Court of Ohio

05JG-08-06455

CERTIFICATE OF JUDGMENT

I, Marcia J. Mengel, Clerk of the Supreme Court of Ohio, hereby certify that on August 10, 2005, an entry was issued by the Supreme Court of Ohio in favor of The Huntington National Bank against Sidney T. Lewis and Yvonne D. Webb-Lewis, Judgment Debtors, in the amount of Twenty Eight Thousand Five Hundred Seventeen Dollars (\$28,517.00). Stated monetary judgment was for reimbursement of attorney fees and costs incurred in an action in this Court entitled *Sidney T. Lewis, Yvonne D. Webb-Lewis v. J. E. Wiggins & Co. et al.*, Case No. 05-150, which entry is entered in this Court in Journal Book 102, page number 100.

In witness whereof, I have hereunto subscribed my name and affixed the Seal of the Supreme Court of Ohio this twenty-second day of August, 2005.

MARCIA J. MENGEL, Clerk

by Robert Vaughn
Robert Vaughn, Deputy Clerk

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
2005 AUG 23 PM 4:44
CLERK OF COURTS-CV

EX.E-004

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
(at Manhattan)

UNITED STATES OF AMERICA, ex rel,)
EDWARD O'DONNELL, et al.,) Case No.: 12-cv-1422
appearing QUI TAM,)
Plaintiff /Relator,) (Related Case No.96-cv-494, USDC, S.D.,OH;
Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
BANK OF AMERICA CORP., et al,) 875, 10-AP-110, COA10th Dist., OHIO
Defendants.) (Related Case No. 08-cv-75, USDC, S.D.,OH.)

✓ UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK;
(at Manhattan)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]
[Rule 36(a)]

In Re: Residential Capital, LLC., et al., And,) Case No. 12-bk-12020 (MG)
In Re: GMAC, Mortgage Co., et al,) Chapter (Ch.11, Joint Admin.)
Debtors) (Related BR Case No.07-bk-57237, S.D., OHIO)
) (Related BR Case No. 12-bk-12032, S.D., N.Y.)
) JUDGE: GLENN, MARTIN
UNITED STATES of America, Ex Rel.,)
Yvonne D. Lewis, et al.,) Adversary Case No.: 12-01731
Plaintiffs/ Surplus Creditors) (Related Case No. 12-bk-12020 (MG);
Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
GMAC, Mortgage Co., et al,) 875, 10-AP-110, COA10th Dist., OHIO
Defendants/ Bankrupt Debtor,) (Related Case No.96-cv-494, USDC, S.D.,OH.)

**MOTION FOR AN ORDER OF REFERENCE WHICH REFERS THE ADVERSARY
CASE NO. 12-AP-1713, TO THE DISTRICT COURT AS INCORPORATED BY
REFERENCE TO DISTRICT COURT CASE NO. 12-CV-1422; GROUNDED ON
GMAC'S MISCONDUCT BY MAY 31, 2012 ASSIGNMENT TO FNMA AFTER
CONSENT JUDGMENT ON APR. 4, 2012, WITH LEAVE TO AMEND**

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF OHIO;
(at Columbus)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

In Re: SIDNEY T. LEWIS, pro se,) Case No. 2:07-bk-57237
Debtor) (Ch.7)
Social Security No.: xxx-xx-5959) (Related Bankr Case No. 2:05-bk-75111)
JUDGE: HOFFMAN, JOHN, Jr.

In Re: Yvonne D. Lewis,) Case No. 2:05-bk-75111
Debtor) (Ch.7)
Social Security No.: xxx-xx-2390) (Related Case No. 2:07-bk-57237)
JUDGE: HOFFMAN, JOHN, Jr.

IN THE UNITED STATES DISTRICT COURT, S. D. OF OHIO
EASTERN DIVISION (at Columbus)

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

UNITED STATES of America, Ex Rel.,)
Sidney T. Lewis, et al.,) Action No. 2:08-cv-1042
Plaintiffs) (Related Dist. Ct. Cases 2:08-cv-16; 2:96-cv-494;
Vs.) 2:09-cv-179, 2:08-cv-75; 09-cv-936; 09-cv-944)
JUDGE: HOLSCHUH
Larry McClatchey, et al.,) Magistrate Judge: KING
Of the Kegler, Brown, Hill & Ritter lawfirm
Defendants

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

FRIENDS OF THE EARTH, et al.,)
Plaintiff,) Case: 1: 12-cv-00363
Vs.) (Related Dist. Ct. Case 1: 12-cv-00361);
Assigned To: Jackson, Amy Berman, Judge
UNITED STATES E.P.A. and)
LISA JACKSON, Administrator,)

Defendants.)
)

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

SECURITIES AND EXCHANGE COMMISSION)

Plaintiff,)

vs.)

Case No. 4:10-cv-87

AMERICAN EQUITY INVESTMENT LIFE)

HOLDING COMPANY;)

DAVID J. NOBLE; and)

WENDY C. WAUGAMAN,)

Defendants.)

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY;
LOUISVILLE DIVISION

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

BEVERLY S. MALONE, Living Trust Beneficiary,)

Plaintiff,)

Case No. 3:01-CV-259(H)

) (Related Dist. Ct. Case 3: 05-CV-122(H));

vs.)

) JUDGE: JOHN HEYBURN

AMERICAN EQUITY INVESTMENT LIFE)

HOLDING COMPANY ("AEL") et al., and)

ADDISON INSURANCE MARKETING (AIM))

Defendants.)

UNITED STATES SUPREME COURT

Charles STRUBE, et al., Living Trust Matters,) 11th Cir. No. 06-35, Certiorari denied.

Beverly MALONE, Living Trust Matters,) No. 05-13014 / No. 05-11461

Appellant,) Removed USDC, M.D., FL, case # 01-cv-1236

) [26 USC §§ 401(a), 4975(e)]

vs.)

AMERICAN EQUITY ("AEL"), et al.,) Reported below: 158 Fed. Appx. 198.
Appellee.)

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT; AT FL.

[18 USC §§ 245(b)(2)(B), 664, 666, 1962][29 USC §§ 1131, 1132(h), 1140]
[26 USC §§ 101(f)(3)(A), 267(b)(1)][42 U.S.C. §§ 1441, 3535(d), 4651(3), 7573)]

Charles STRUBE, et al., Living Trust Matters,) **No. 05-11461 Non-Argument Calendar;**
Beverly MALONE, Living Trust Beneficiary,) **No. 05-13014 Non-Argument Calendar**
Plaintiffs/Appellants,) Removed from case nos. 6:01-cv-1236 and
vs.) 3:01-CV-259(H); [26 USC §§ 401(a), 4975(e)]
) 3: 05-CV-122
) Before ANDERSON, BLACK and PRYOR,
AMERICAN EQUITY ("AEL"), et al.,) Circuit Judges.
Defendants/Appellees.

**UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

WHITE, et al : Case No. 05-cv-1070 DOC (MLGx)
vs. : Judge: David Carter
EXPERIAN INFORMATION :
SOLUTIONS, INC., et al. :
 : \$45 MILLION DOLLAR SETTLEMENT
(Related C.A. Dist. Ct. Case Nos: : OF NATIONAL CLASS ACTION
Case #05-cv-1073, DOC (MLGx) :
Case #05-cv-7821, DOC (MLGx) :
Case #06-cv-0392, DOC (MLGx) :
Case #06-cv-5060, DOC (MLGx) :

MOTION FOR AN ORDER OF REFERENCE WHICH REFERS THE ADVERSARY CASE
NO. 12-AP-1713, TO THE DISTRICT COURT AS INCORPORATED BY REFERENCE TO
DISTRICT COURT CASE NO. 12-CV-1422; GROUNDED ON GMAC'S MISCONDUCT BY
MAY 31, 2012 ASSIGNMENT TO FNMA AFTER CONSENT JUDGMENT ON APR. 4, 2012.

Creditor(s) Yvonne D. Lewis and Sidney T. Lewis, *pro se*, move the U.S. District Court For
the Southern District of New York, at Manhattan, in Case No. 12-cv-1422 for an order of

Reference, pursuant to BR **Rule 9013**; 11 U.S.C. §§ 105 and 28 U.S.C. § 1331, and the FCA, particularly 31 U.S.C. § 3732(a), which specifically confers jurisdiction over actions brought pursuant to 31 U.S.C. § 3729 and § 3730 as the alleged National RICO and Securities schemes herein either occurred, or included, the New York City, New York areas, and further, Defendants and each of them may be found in the District and transact business in this District as set forth and incorporated by reference to an un-amended Adversary Case No. 12-ap-1713 pending in the U.S. Bankruptcy Court For the Southern District of New York, and in support of its motion states that:

- (1) Both actions, 1:12-cv-00361 and 1:12-ap-1713, involve FCA claims arising from fraud on the Federal National Mortgage Association (commonly referred to and referred to herein as "Fannie Mae") after the consent judgments by Defendant Bank of America Corporation, which acquired and is the successor to Countrywide Financial Corporation, Countrywide Home Loans, Inc. in case no. 1:12-cv-00361, U.S. District Court For the District of Columbia, at Document 11, Filed 04/04/12, at Page 2 thru 317, and Defendant GMAC Mortgage LLC., in case no. 1:12-cv-00361, U.S. District Court For the District of Columbia, at Document 13, Filed 04/04/12, at Pages 1 thru 92.
(See: Attached **EXHIBIT A**, GMAC's MAY 31, 2012 FRAUDULENT ASSIGNMENT TO FNMA)
- (2) These consolidated and incorporated actions are qui tam actions under the False Claims Act ("FCA") by "Intervenor", the United States of America as Ex. Relator, and by Relators, Edward O'Donnell, Yvonne D. Lewis and Sidney T. Lewis.
- (3) Plaintiffs Yvonne D. Lewis and Sidney T. Lewis are citizens of the United States and resides in the State of Ohio, and pursuant to the aforementioned statutes incorporated by reference from said case nos. 1:12-cv-00361 and 12-ap-1713, brings this action on behalf of the United States of America. From 2005 to 2012, Relators were forced to litigate a bogus Foreclosure Action commenced by Defendant GMAC Mortgage LLC upon false

documentation to obtain false capital gains from \$82K in proceeds in a Sheriffs Sale held April 20, 2012 through a false HUD insurance claim under 12 USC 1710.

(See: **EXHIBIT B**, GMAC's April 20, 2012 Sheriffs Sale with ASSIGNMENT TO FNMA),

- (4) Due to the (Assignor) Huntington National Bank's fraudulent judgment lien under a fraudulent "Proof of Claim" associated with Case No. 96-cv-494 and the sale of the RICO Class Plaintiff (deceased) Vacy O Webb's home as proffered in Doc. 2-1, pages 1 to 4, in the U.S. Bankruptcy Court For the Southern District of Ohio, E. Div., in Case No. 07-bk-57237, involving one of the subject Ohio properties as asserted by GMAC Mortgage LLC (Assignee) relative to the underlying RICO action; First Court Jurisdiction arises pursuant to Doc. 70, in the U.S. District Court For the Southern District of Ohio, E. Div., in Case No. 96-cv-494.

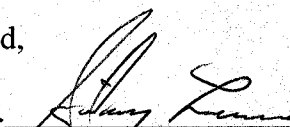
(SEE AND COMPARE: Doc. 2-1, pages 1 to 4, in the U.S. Bankruptcy Court For the Southern District of Ohio, E. Div., in Case No. 07-bk-57237, involving a "Proof of Claim" for a false Judgment Lien in favor of Huntington National Bank, against Sidney T. Lewis and Yvonne D. Webb-Lewis in the amount of \$28,517 recorded as Case No. JG006455 for a U.S. Government Securities scheme related to Case No. 96-cv-494, USDC, S.D., Ohio; **COMPARE TO:** Doc. 14-4, Bankruptcy ORDER, at Page 4 of 4, at Exhibit A, Item 3, in the U.S. District Court For the Southern District of Ohio, E. Div., in Case No. 2:08-cv-00075, Filed: 04/02/08, Huntington National Bank's fraudulent "Certificate of Judgment Lien in favor of Huntington National Bank, against Sidney T. Lewis and Yvonne D. Webb-Lewis in the amount of \$28,517 recorded as Case No. JG006455 on August 23, 2004"; **COMPARE WITH:** Doc. 104, at Page 1 of 13, in the U.S. District Court For the Southern District of Ohio, E. Div., in Case No. 08-cv-00016, Filed: 06/04/09, Huntington National Bank's fraudulent \$28,517 Judgment Lien involving a U.S. Government Securities scheme "U.S. Savings Bonds"; **ALSO SEE AND COMPARE:** Doc. 95, in the U.S. District Court For the Southern District of Ohio, E. Div., in BRYK v. HURD, et al., Case No. 96-cv-494, (Imposing sanctions in a consent decree under Federal RICO statutes against the Emens, **Hurd**, Kegler & Ritter law firm for a scheme to defraud investors through the intrastate sale of millions of shares of low-priced, highly speculative stocks, generally selling at less than \$ 5 a share ("penny stocks")); **COMPARE WITH:** State of Ohio, Plaintiff-Appellee, v. Dwight I. **Hurd**, Defendant-Appellant. State of Ohio, Plaintiff-Appellee, v. Robert D. Hodge, Defendant-Appellant. State of Ohio, Plaintiff-Appellee, (Cross-Appellant), v. Beth A. Eyerman, Defendant-Appellant, 1999 Ohio App. LEXIS 2047, pg 1, (Ohio Ct. App., Franklin County May 4, 1999, reversing criminal convictions), ("The indictment alleged a scheme to defraud investors through the intrastate sale of millions of shares of low-priced, highly speculative stocks, generally selling at less than \$ 5 a share ("penny stocks").").

WHEREFORE, Creditors/Relators, Sidney T. Lewis and Yvonne D. Webb-Lewis move this Court for an order of Reference to incorporate by reference the FCA claims against Defendant GMAC Mortgage LLC (Assignee) under CASE NO. 12-cv-1422 with Leave to amend the complaint from CASE NO. 12-AP-1713, against Defendants Bank of America Corporation, which acquired and is the successor to Countrywide Financial Corporation, Countrywide Home Loans, Inc.(as Lender), and (Assignor and Judgment Lienholder) Huntington National Bank under Bankruptcy ORDER, Doc. 14-4, at Page 4 of 4, at Exhibit A, Item 3, in the aforesaid Case No. 2:08-cv-00075, involving false HUD insurance claims and fraud on the Federal National Mortgage Association under 12 USC 1709, 1710,INSTANTER.

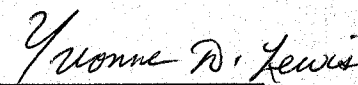
This motion is supported by the attached Exhibits and Verifications by Creditors/Relators, Sidney T. Lewis and Yvonne D. Webb-Lewis.

Respectfully submitted,

Dated: Nov. 15, 2012.


Sidney T. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

Dated: Nov. 15, 2012.


Yvonne D. Lewis, pro se
1875 Alvason Avenue
Columbus, Ohio 43219
(614) 940-3306

VERIFICATION

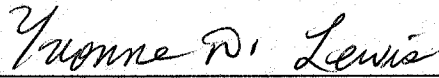
State of Ohio)

) SS:

Franklin County)

I, Yvonne D. Lewis, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge as based on my understandings and belief.
FURTHER SAYETH THE AFFIANT NAUGHT.

Executed on Nov. 15, 2012 pursuant to 28 U.S.C. §§ 452, 1746, 1715; Ohio Const., Art. I, §16; U.S. Const., Amend., § 14th.



YVONNE D. LEWIS, *Affiant, In Personam*

VERIFICATION

State of Ohio

)

) SS:

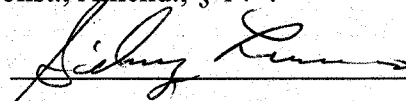
Franklin County

)

I, Sidney T. Lewis, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge as based on my understandings and belief.

FURTHER SAYETH THE AFFIANT NAUGHT.

Executed on Nov. 15, 2012 pursuant to 28 U.S.C. §§ 452, 1746, 1715; Ohio Const., Art. I, §16; U.S. Const., Amend., § 14th.



SIDNEY T. LEWIS, *Affiant, In Personam*

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
(at Manhattan)

UNITED STATES OF AMERICA, ex rel,)
EDWARD O'DONNELL, et al.,) Case No.: 12-cv-1422
appearing QUI TAM,)
Plaintiff /Relator,) (Related Case No.96-cv-494, USDC, S.D.,OH;
Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
BANK OF AMERICA CORP., et al,) 875, 10-AP-110, COA10th Dist., OHIO
Defendants.) (Related Case No. 08-cv-75, USDC, S.D.,OH.)

UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK;
(at Manhattan)

In Re: Residential Capital, LLC., et al., And,) Case No. 12-bk-12020 (MG)
In Re: GMAC, Mortgage Co., et al,) Chapter (Ch.11, Joint Admin.)
Debtors) (Related BR Case No.07-bk-57237, S.D., OHIO)
) (Related BR Case No. 12-bk-12032, S.D., N.Y.)
) JUDGE: GLENN, MARTIN
UNITED STATES of America, Ex Rel.,)
Yvonne D. Lewis, et al.,) Adversary Case No.: 12-01731
Plaintiffs/ Surplus Creditors) (Related Case No. 12-bk-12020 (MG);
Vs.) 05-CV-7346 (03-CV-7478); 03-CV-10836;
) 05-CV-4555; 03-CV-6954);(04-AP-469, 11-AP-
GMAC, Mortgage Co., et al,) 875, 10-AP-110, COA10th Dist., OHIO
Defendants/ Bankrupt Debtor,) (Related Case No.96-cv-494, USDC, S.D.,OH.)

CERTIFICATE OF SERVICE

A copy of the foregoing: **MOTION FOR AN ORDER OF REFERENCE WHICH REFERS THE ADVERSARY CASE NO. 12-AP-1713, TO THE DISTRICT COURT AS INCORPORATED BY REFERENCE TO DISTRICT COURT CASE NO. 12-CV-1422; GROUNDED ON GMAC'S MISCONDUCT BY MAY 31, 2012 ASSIGNMENT TO FNMA AFTER CONSENT JUDGMENT ON APR. 4, 2012. WITH LEAVE TO AMEND** was served on Debtors counsels of record, and other parties to the instant action, by hand delivery, electronic mail service, or by certified U.S. Mail Service, Postage Prepaid on Nov. 15, 2012.

Dated: Nov. 15, 2012 Sidney T. Lewis
Sidney T. Lewis, pro se

Dated: Nov. 15, 2012 Yvonne D. Lewis
Yvonne D. Lewis, pro se

Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R10

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

GMAC Mortgage Corporation

Plaintiff,

vs.

Yvonne D. Lewis aka Yvonne D. Webb-Lewis,
et al.

Defendants.

Case No. 05CVE-04-4555


Judge Julie M. Lynch

NOTICE OF ASSIGNMENT OF BID

Plaintiff GMAC Mortgage Corporation, acting through counsel, hereby gives notice that
it has assigned its bid on the sale of the property that is the subject of this foreclosure action to
the following person:


Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043

Respectfully submitted,


Matthew J. Richardson (0077157)
Holly N. Wolf (0068847)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-220-5613
Email: mjr2@mdk-llc.com
Attorney for Plaintiff

THE STATE OF OHIO
Franklin County, ss

I, MARYELLEN O'SHAUGHNESSY, Clerk
OF THE COURT OF COMMON
PLEAS WITHIN AND FOR
SAID COUNTY,

HEREBY CERTIFY THAT THE ABOVE AND FORE-
GOING IS TRULY TAKEN AND COPIED FROM THE
ORIGINAL *noted*
NOW ON FILE IN MY OFFICE
WITNESS MY HAND AND SEAL OF SAID COUNTY
THIS *15th* DAY OF *MAY* A.D. 20 *12*
MARYELLEN O'SHAUGHNESSY, Clerk
By  Deputy

Ref# 05-2846/NNW

EXHIBIT A

F14


Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R11

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Assignment of
Bid was sent to the following by ordinary U.S. Mail, postage prepaid, on the date indicated
below:

Yvonne D. Lewis aka Yvonne D. Webb-Lewis
1875 Alvason Avenue
Columbus, OH 43219

Sidney T. Lewis
1875 Alvason Avenue
Columbus, OH 43219



Matthew J. Richardson
Holly N. Wolf
May 30, 2012

Dated

Franklin County Ohio Clerk of Courts of the Common Pleas- 2012 May 31 3:05 PM-05CV004555
0A460 - R10

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

GMAC Mortgage Corporation

Plaintiff,

vs.

Yvonne D. Lewis aka Yvonne D. Webb-Lewis,
et al.

Defendants.

Case No. 05CVE-04-4555

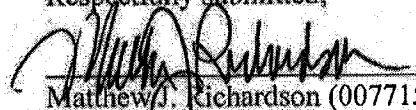
Judge Julie M. Lynch

NOTICE OF ASSIGNMENT OF BID

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it has assigned its bid on the sale of the property that is the subject of this foreclosure action to
the following person:

Federal National Mortgage Association
P.O. Box 650043
Dallas, TX 75265-0043

Respectfully submitted,


Matthew J. Richardson (0077157)
Holly N. Wolf (0068847)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-220-5613
Email: mjr2@mdk-llc.com
Attorney for Plaintiff

THE STATE OF OHIO
Franklin County, ss } I, MARYELLEN O'SHAUGHNESSY, Clerk
OF THE COURT OF COMMON
PLEAS WITHIN AND FOR
SAID COUNTY,

HEREBY CERTIFY THAT THE ABOVE AND FORE-
GOING IS TRULY TAKEN AND COPIED FROM THE
ORIGINAL note
NOW ON FILE IN MY OFFICE
WITNESS MY HAND AND SEAL OF SAID COUNTY
THIS 15th DAY OF MAY A.D. 2012
MARYELLEN O'SHAUGHNESSY, Clerk
By [Signature] Deputy

Ref# 05-2846/NNW

EXHIBIT A

F14

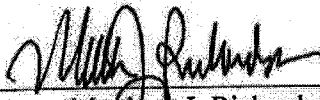
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0A460 - R11

CERTIFICATE OF SERVICE

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Bid was sent to the following by ordinary U.S. Mail, postage prepaid, on the date indicated
below:

Yvonne D. Lewis aka Yvonne D. Webb-Lewis
1875 Alvason Avenue
Columbus, OH 43219

Sidney T. Lewis
1875 Alvason Avenue
Columbus, OH 43219



Matthew J. Richardson
Dolly N. Wolf
May 30, 2012

Dated

E1566 - K14

SHERIFF'S RETURN OF ORDER OF SALE

GMAC Mortgage Corporation
Plaintiff

vs.

Case No. 05CVE04 4555

Yvonne D Lewis et al
Defendant

Judge Lynch

THE STATE OF OHIO, FRANKLIN COUNTY, ss}

In obedience to the command of the Order of Sale hereto I did, on summon:

1. , 2 , 3. three disinterested freeholders, residents of said County, who were by me duly sworn to impartially appraise the lands and tenements therein described, upon actual view, and afterwards, on the date, said Appraisers returned to me, under their hands and seals, that they did, upon actual view of the premises, estimate and partially appraise the real value in money of the same at \$57,000.00. The original of said appraisal I forthwith deposited in the Office of the Clerk of the Court of Common Pleas. And on 3/20/2012 I caused to be advertised in the Daily Reporter the said lands and tenements to be sold at public sale, in the Hall of Justice of said County, on 4/20/2012 and having advertised the said lands and tenements for more than thirty days previous to the day of sale, to wit: five consecutive weeks on the same day of the week each week; and in pursuance of said notice, I did at the time and place above mentioned, proceed to offer said lands and tenements at public sale, in the Hall of Justice, and then and there came above plaintiff who bid the sum of \$81,480.00 and said sum being more than two thirds of the appraised value thereof, and being the highest and best bidder therefore, I then and there publicly sold and struck off lands and tenements to him/her for the above mentioned bid.

4/20/2012

Sheriff's Invoice for Fees

Service and Return	\$50.00
Swearing Appraisers	
Writing Advertisement	\$1.00
Total Sheriff's Fee	\$51.00

Appraiser's Fees

Three each at	
Total	\$0.00

PARCEL NO. 010-136633

ADDRESS 1875 Alvason Ave Columbus OH
43219

Matthew J Richardson
614-222-4921

ZACHARY SCOTT, SHERIFF

BY

Anthony K. Duff

DEPUTY

FILED
COMMON PLEAS COURT
FRANKLIN CO OH
2012 APR 25 AM 12:00
CLERK OF COURT

2

EXHIBIT B

E1566 - K15

**REAL ESTATE JUDICIAL SALE
PURCHASER INFORMATION FORM**

As Prescribed by Buckeye State Sheriffs' Association
RC §2329.26 - RC §2329.27 - RC §2329.271

Must be complete and legible or it will be returned

Failure to provide the following information at the time of the sale may nullify the sale and cause the purchaser to be in contempt

(A) Is the property now RESIDENTIAL RENTAL PROPERTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Will the PURCHASER occupy the lands and tenements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(B) PURCHASER: (Required of ALL PURCHASERS) <small>(Must be readily accessible through CONTACT PERSON or any business entity listed in Section (D))</small>	(C) CONTACT PERSON: (Required if currently RESIDENTIAL RENTAL PROPERTY and PURCHASER is any business entity listed in Section (D))
Name <u>GMAC Mortgage Corporation, c/o GMAC Mortgage, LLC</u> Address <u>1100 Virginia Drive, Foreclosure Department</u> City <u>Fort Washington</u> State <u>Pennsylvania</u> Zip <u>19034</u> Phone 1 <u>319-236-4784</u> Phone 2 _____	Name _____ Address _____ City _____ State _____ Zip _____ Phone 1 (____) _____ Phone 2 (____) _____ Email _____
(D) The PURCHASER is a: ("X" one) (Required of ALL PURCHASERS) <input type="checkbox"/> TRUST <input type="checkbox"/> BUSINESS TRUST <input type="checkbox"/> ESTATE <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LIMITED PARTNERSHIP <input type="checkbox"/> LIMITED LIABILITY COMPANY <input type="checkbox"/> ASSOCIATION <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER BUSINESS ENTITY <input type="checkbox"/> NONE OF THE ABOVE (Non-Business)	(E) The CONTACT PERSON is a: ("X" one) (Required if property is currently RESIDENTIAL RENTAL PROPERTY and PURCHASER is any business listed in Section (D)) <input type="checkbox"/> TRUST (for Trust of Business Trust) <input type="checkbox"/> EXECUTOR OR ADMINISTRATION (for Estate) <input type="checkbox"/> GENERAL PARTNER (for Partnership or Limited Partnership) <input type="checkbox"/> MEMBER, MANAGER or OFFICER (for Limited Liability Company) <input type="checkbox"/> ASSOCIATE (for Association) <input checked="" type="checkbox"/> MEMBER, MANAGER or OFFICER (for any other Business Entity)
(F) PURCHASER'S principal place of business is located in ("X" one) <input type="checkbox"/> this County, <input type="checkbox"/> State of Ohio, <input checked="" type="checkbox"/> State of Pennsylvania	
(G) LOCAL CONTACT: (Required if NOT RESIDENTIAL RENTAL PROPERTY and PURCHASER is any business listed in Section (D)) Name <u>Shelley Peterson/Property Preservation Customer Care</u> Address <u>1100 Virginia Drive, Foreclosure Department</u> City <u>Fort Washington</u> State <u>Pennsylvania</u> Zip <u>19034</u> Phone 1 <u>319-236-4784</u> Phone 2 _____ Email <u>Shelley_Peterson@GMALM.COM</u> (This person must be a natural person who is employed by the purchasing entity and whom the purchasing entity has designated to receive notices or inquiries about the property and whose office is in: 1 the county, if principal place of business is in the county 2 in Ohio, if principal place of business is in Ohio, 3 the principal place of business if principal place of business is outside of Ohio.)	(H) PROPERTY TO BE DEEDED TO: (Required of ALL PURCHASERS) Name(s) <u>Federal National Mortgage Association</u> Address <u>P.O. Box 650043</u> City <u>Dallas</u> State <u>Texas</u> Zip <u>75265-0143</u> Phone 1 _____ Phone 2 _____ **NOTICE** Once this form is submitted to the court, changes to the deed may only be made with a court order. ** NOTICE ** This information must be obtained at the time of sale, shall be part of the sheriff's record of proceedings and shall be part of the record of the court of common pleas. The information is a public record and open to public inspection.

RefN 05-2846/TM

GA-HB 138

Buckeye State Sheriffs' Association - Civil Process Committee

BIDI

8/9 September 2008

Ex. B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

In the Matter of : ORDER

:

The Extension of Certain Deadlines
in Civil Cases as a Result of :
Hurricane Sandy and Court Closure :

:

- - - - -x

WHEREAS, Hurricane Sandy has caused extraordinary damage and disruption in the New York City metropolitan area, including, but not limited to, widespread power and utility outages in New York City, extensive transportation problems created by closure of the New York City mass transportation systems, dislocation of New York City residents, and other related delays such as the inaccessibility of the United States Courthouse in Manhattan,

WHEREAS, it is currently unclear when the United States Courthouse in Manhattan will again be accessible,

WHEREAS, current transportation restrictions render it difficult and in some cases impossible for individuals to travel to the Courthouse, and

WHEREAS, Fed. R. Civ. P. 6(a)(3) provides for the times of filings to be extended if the clerk's office is inaccessible,

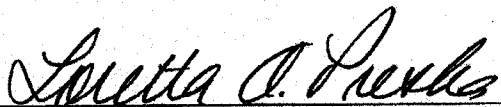
IT IS ORDERED that, because of the facts set out above, the clerk's office is deemed to be inaccessible from October 29 through and including November 4, 2012, for the purposes of 1) filing any appeal from the United States District Court for the Southern District of New York to the Court of Appeals for the Second Circuit, and 2) filling any paper in a case pending in this Court.

The Clerk of the Court is instructed promptly to deny as moot any motion for an extension that is obviated by the effect of this Order. Such a denial shall be accompanied by a copy of this Order.

Any motion for an extension beyond the times provided by this Order should be filed promptly. Parties are encouraged to confer in order to avoid the need for motions for such further extensions.

SO ORDERED.

Dated: New York, New York
October 31, 2012


HONORABLE LORETTA A. PRESKA
CHIEF UNITED STATES DISTRICT JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----)	
In re:	)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u>,	)	Chapter 11
)	
Debtors.	)	Jointly Administered
-----)	

ORDER EXTENDING DEADLINE FOR FILING PROOFS OF CLAIM

WHEREAS Residential Capital, LLC ("ResCap") and certain of its affiliates, as debtors in possession in the above-captioned Chapter 11 cases (collectively, the "Debtors"), having filed *Debtors' Application for (I) Establishing Deadline for Filing Proofs of Claim and (II) Approving the Form and Manner of Notice Thereof* (the "Bar Date Application") (Docket No. 1014) requesting entry of an order establishing a deadline for the filing of proofs of claim;

WHEREAS upon consideration of the Bar Date Application this Court entered the *Order Establishing Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof* (the "Bar Date Order") (Docket No. 1309);¹

WHEREAS due to the recent events precipitated by hurricane Sandy, the Debtors have requested that the Court extend the General Bar Date for a limited period;

WHEREAS the Court having subject matter jurisdiction to consider the relief requested by the Debtors pursuant to 28 U.S.C. § 1334 and the Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated July 19, 1984 (Ward, Acting C.J.), and consideration of the relief requested by the Debtors being

¹ Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to such terms in the Bar Date Application and the Bar Date Order. Copies of the Bar Date Application and Bar Date Order can be obtained at no charge at <http://www.kccllc.net/rescap> or for a fee via PACER at <http://www.nysb.uscourts.gov>.



a core proceeding under 28 U.S.C. § 157(b), and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409, and the relief requested being in the best interests of the Debtors and their estates and creditors; and after due deliberation and sufficient cause appearing therefor, it is hereby:

1. ORDERED that the General Bar Date is extended from Friday, November 9, 2012 at 5:00 p.m. (Prevailing Eastern Time) to and including **Friday, November 16, 2012 at 5:00 p.m. (Prevailing Eastern Time)** (the "Extended General Bar Date").

2. ORDERED that, except as otherwise provided in the Bar Date Order, all persons and entities (including, without limitation, individuals, partnerships, joint ventures, corporations, estates, trusts and governmental units) that assert a claim, as defined in section 101(5) of the Bankruptcy Code, against any Debtor that arose prior to the filing of the Debtors' Chapter 11 petitions on May 14, 2012 (the "Petition Date") (including, without limitation, claims entitled to priority under section 503(b)(9) of the Bankruptcy Code) shall file a proof of such claim in writing so that it is actually received at the ResCap Claims Processing Center or by the U.S. Bankruptcy Court on or before the Extended General Bar Date in the manner set forth in the Bar Date Order.

3. ORDERED that the Governmental Bar Date is **not** extended and shall remain **November 30, 2012 at 5:00 p.m. (Prevailing Eastern Time)**.

4. ORDERED that the terms of the Bar Date Order shall govern the procedures for filing a Proof of Claim and shall otherwise remain in full force and effect in all other respects.

5. ORDERED that neither service nor publication notice of this Order shall be required and the Debtors are relieved of any such obligation.

6. ORDERED that the Debtors shall provide notice of the extension of the General Bar Date provided for herein, at www.kccllc.net/rescap, the website maintained by Kurtzman Carson Consultants, the Debtors' claims and noticing agent.

Dated: November 6, 2012

New York, New York

/s/Martin Glenn

MARTIN GLENN

UNITED STATES BANKRUPTCY JUDGE

B10 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY COURT Southern District of Ohio		PROOF OF CLAIM
Name of Debtor: Sidney T Lewis		Case Number: 2:07-57237
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): 5 HUNTINGTON NATL BANK		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number (if known): Filed on:
Name and address where notices should be sent: 5 HUNTINGTON NATL BANK C/O LINDSEY SESTILE PORTER WRIGHT MORRIS AND ARTHUR LLC 41 S HIGH STREET COLUMBUS OH 43215-6101		
Telephone number: 614-227-2177		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone number:		
1. Amount of Claim as of Date Case Filed: \$ 20,638.25 If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507(a)(). Amount entitled to priority: \$ _____ <small>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
2. Basis for Claim: Judgment in the Supreme Court of Ohio (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: _____		
3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate: % Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
Date: 6/6/08 Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. Lindsay Sestile, Attorney for Creditor		FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both, 18 U.S.C. §§ 152 and 3571.

EXHIBIT E-001

101-524

The Supreme Court of Ohio

ON COMPUTER-KMR

FILED

MAY 25 2005

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

Sidney T. Lewis, Yvonne D. Webb-Lewis

Case No. 05-150

v.

ENTRY

J.E. Wiggins & Co. et al.

This cause came on for further consideration of appellee's motion for sanctions for frivolous action and motion for an order declaring appellants vexatious litigators, and appellants' motion to dismiss or, in the alternative, for order to amend commingled motions for sanctions and for an order declaring appellants vexatious litigators, motion to remand the instant case to trial court for its findings of facts and conclusions of law regarding compliance with statutes, and motion for order declaring The Huntington National Bank and its counsel vexatious litigators. Upon consideration thereof,

IT IS ORDERED by the Court that appellee's motion for sanctions for frivolous action be, and hereby is, granted. The motion for an order declaring appellants vexatious litigators is denied as moot, since appellants were deemed vexatious litigators by this Court on May 11, 2005.

IT IS FURTHER ORDERED by the Court, *sua sponte*, that appellee shall file a bill and documentation in support of an award for attorney fees, in accordance with the guidelines set forth in DR 2-106, within 20 days of the date of this entry; appellants may file objections to appellee's bill and documentation within 10 days of the filing of the bill and documentation; appellee may file a reply to appellants' objections, if any, within 5 days of the filing of the objections.

IT IS FURTHER ORDERED by the Court that all of appellants' motions be, and hereby are, denied as moot.

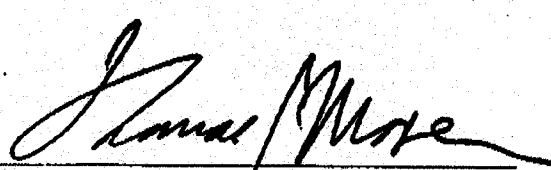
(Franklin County Court of Appeals; Nos. 04AP469, 04AP544 and 04AP668)

I HEREBY CERTIFY that this document is a true and accurate copy of the entry of the Supreme Court of Ohio filed 5/25/05 in Supreme Court case number 05-150

In witness whereof I have hereunto subscribed my name and affixed the seal of the Supreme Court of Ohio on this 22nd day of August, 2005.

MARCIA J. MENGEL, Clerk

by Rat Vaj, Deputy


THOMAS J. MOYER
Chief Justice

EX: E-002

102-100

FILED

The Supreme Court of Ohio

AUG 10 2005

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

ON COMPUTER-KMR

Sidney T. Lewis, Yvonne D. Webb-Lewis

Case No. 05-150

v.

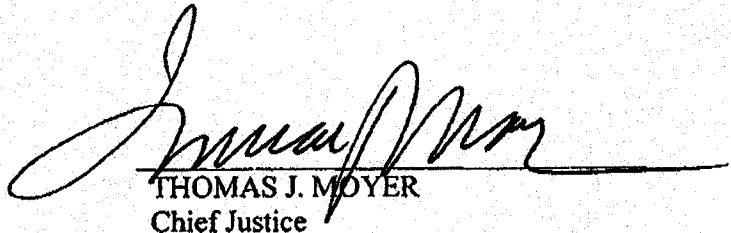
ENTRY

J. E. Wiggins & Co. et al.

This cause came on for further consideration of the bill and documentation in support of attorney fees filed by The Huntington National Bank in response to the Court's entry of May 25, 2005. Upon consideration thereof,

IT IS ORDERED by the Court that The Huntington National Bank is awarded attorney fees in the amount of \$28,517.00.

(Franklin County Court of Appeals; Nos. 04AP469, 04AP544 and 04AP668)


THOMAS J. MOYER
Chief Justice

I HEREBY CERTIFY that this document
is a true and accurate copy of the
entry of the Supreme Court of Ohio
filed 8/10/05 in Supreme
Court case number 05-150.

In witness whereof I have hereunto
subscribed my name and affixed the
seal of the Supreme Court of Ohio
on this 22nd day of August, 2005.

MARCIA J. MENGEL, Clerk

by Ruth V. [Signature] Deputy

EX-1003

The Supreme Court of Ohio

05JG-08-06455

CERTIFICATE OF JUDGMENT

I, Marcia J. Mengel, Clerk of the Supreme Court of Ohio, hereby certify that on August 10, 2005, an entry was issued by the Supreme Court of Ohio in favor of The Huntington National Bank against Sidney T. Lewis and Yvonne D. Webb-Lewis, Judgment Debtors, in the amount of Twenty Eight Thousand Five Hundred Seventeen Dollars (\$28,517.00). Stated monetary judgment was for reimbursement of attorney fees and costs incurred in an action in this Court entitled *Sidney T. Lewis, Yvonne D. Webb-Lewis v. J. E. Wiggins & Co. et al.*, Case No. 05-150, which entry is entered in this Court in Journal Book 102, page number 100.

In witness whereof, I have hereunto subscribed my name and affixed the Seal of the Supreme Court of Ohio this twenty-second day of August, 2005.

MARCIA J. MENGEL, Clerk

by Robert Vaughn
Robert Vaughn, Deputy Clerk

FILED
COMMON PLEAS COURT
FRANKLIN CO., OHIO
2005 AUG 23 PM 4:44
CLERK OF COURTS-CV

EX. E-004